

And there is a growing number in our country who, for reason of age or disability, can no longer work, and who live today, in this land of plenty, on the barest level of subsistence, and dependent for even that on public or private charity or on relatives.

The question is one of revising our social-security laws. We must extend coverage to classes of workers and self-employed individuals who are not now covered. We must lower the age at which women, for instance, can become eligible—it is now 65—for social-security benefits. And we must provide for payment of social-security benefits to men and women whose working years are suddenly cut short by permanent and total physical disability.

As most of you know, there is legislation pending in the Senate—it has already been approved by the House—to make desirable changes in our social-security laws.

The changes approved by the House do not go far enough to suit me. But apparently they went too far to suit a majority of the members of the Finance Committee in the Senate. And so the bill reported out by the Senate Finance Committee eliminated the provision for payments to the permanently disabled, and struck out the provision reducing the retirement age of women from 65 to 62.

There will be a fight on the floor of the Senate on these two major provisions. It will be a sharp fight, pitting against each other two distinct philosophies of government—those who think of government in terms of promoting the general happiness and welfare of all, and especially of those least able to care for themselves, and those who think of government in terms of promoting the special interests of the few—and especially of the already strong and the already powerful.

The case for the lowering of the retirement age of women from 65 to 62 is obvious. I would prefer to see it lowered to 60, but I will support the House-approved provision for 62.

Not so obvious, but even more appealing, is the case for making benefits available to the permanently disabled.

Here are men and women who, in the prime of life, while engaged in gainful employment covered by social security, are suddenly rendered physically incapable of continuing work. Struck down by crippling disease or totally maimed by accident, they are thrown upon the mercy of society.

Will our society recognize them as part and parcel of present company, and entitle them to receive at least the minimum benefits of our social-security system, or will we continue to say, as we do today: Shift for yourself, live on charity, starve to death if you must, but you will not get social-security benefits until you are 65.

The House approved a provision making the physically disabled—those who were

working in jobs covered by social security before they were disabled—eligible for social-security benefits when they reach the age of 50. The Senate committee eliminated even this improvement.

I strongly favor striking out the age limit entirely. But the majority of the Senate Finance Committee does not wish to make these unfortunate people eligible for social-security benefits until they reach the statutory age of 65—if they ever do. What happens to these people between the time of their disability and the time they reach the age of 65 is not a matter of Government concern, under the terms of the bill reported by the Finance Committee.

Two major arguments were made against the disability amendment by the powerful lobby which worked against this provision. And I regret to say that the Eisenhower administration joined in the opposition to this humane provision and worked with the lobby of the National Manufacturers Association, the American Medical Association, and other like-minded organizations.

First it was maintained that this provision was administratively impractical—which is just gobbledeygook—and second, that it would lead to socialized medicine, which is even worse gobbledeygook.

They said further that making these disabled people eligible for social security will discourage their rehabilitation and return to productive life.

This argument, too, is sham and humbug. The fact is that only a percentage of those who become totally disabled can be rehabilitated under any conditions. And it is a further fact that the facilities which are available in this country for rehabilitation of the physically handicapped is so pitifully inadequate that only a fraction of those who could be rehabilitated are actually rehabilitated.

There are already more than 2 million physically handicapped persons in this country. A total of 250,000 people are added to the list of totally disabled every year, by disease and accident. Of these, only 50,000 annually are being restored to productive life. I have fought for many years for an expansion of Government assistance for the training of experts and the increase of facilities for the rehabilitation of the physically handicapped. Some of the very same lobbyists who are now fighting the disability provision in the social security bill, using this argument, opposed me in my efforts to get more money for vocational rehabilitation.

No, the disability provision must be included in the social-security legislation we shall enact this year. The people must insist upon it. Organizations like yours must insist upon it. The Congress must know that the people want this provision.

In every session of Congress since 1950, I have introduced a social security bill which

included a provision for benefit payments to the permanently disabled, at whatever age. I now have an amendment pending which proposes the same thing. So has Senator GEORGE, of Georgia, the ranking Democratic member of the Finance Committee. Once this was considered a visionary proposal. Now it is within reach.

We must join the battle on the ground of principle. Are these disabled people, growing in number year by year, and the aged women who can no longer work past 60 or 62, to be thrown on the scrap heap of our society, with no more consideration than is given to a broken or worn-out machine?

Are these unfortunate people to continue to be one of the abandoned, forgotten, and neglected elements in our society? No social order imbued with a philosophy of human dignity can continue to tolerate the present situation.

But the issue is even deeper. The issue is whether the motive of fear is to continue to be used as the impelling force in our society—fear of want, fear of old age, and fear of physical disability. The reactionaries believe and profess that with these fears, people must be driven to work, to save and to provide for their own security.

I do not agree with this philosophy. I believe that the driving force of life is and should be fulfillment, contentment, and happiness for all individuals everywhere.

I believe that material comforts are a means, not an end, and if our social and economic order cannot provide for the weak, the aged, and the infirm—those who can no longer themselves carry their share of the load—there is something drastically wrong with the social and economic order.

Life expectancy is being extended. People are living longer. Our social and economic order must be so managed as to keep pace with this advance. This is one of the most arresting problems we face today. I have just touched on one aspect of it. There are many others of equal urgency, and even greater complexity.

My friends, there are horizons of challenge beyond even the horizons we see today. We must advance. We must have a leadership which calls constantly for advance. The explosion of the H-bomb out in the Pacific a few days ago was not only a warning to the Russians. In a sense, it was even more of a warning to us.

Can we master the arts of building and living as well, or even nearly as well, as we are mastering the arts of destruction and killing?

Will that blinding flash and shocking roar that came out of the far Pacific usher in a new day, or does it herald the coming of a total darkness?

We do not know the answers, but we must find the answers. We must hasten our advance in the area of the heart and the mind. The greatest achievements and victories in that area remain to be won.

## SENATE

MONDAY, MAY 28, 1956

(Legislative day of Thursday, May 24, 1956)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Dr. Lawrence D. Folkemer, pastor, Church of the Reformation, Washington, D. C., offered the following prayer:

Lord God of power and giver of grace and wisdom, we commend to Thee all who are engaged in the government of our land; grant to them clean hands, pure hearts, and unflinching devotion to

the cause of righteousness. To Thee, merciful Lord, we commend their work, praying that it may be such as will promote Thy work in our midst, to the aid of the poor, the relief of the oppressed, the putting down of all social evils, and the redress of all social wrongs. Let all they think or speak or do be for Thy glory and the good of Thy people. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 25, 1956, was dispensed with.

### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILL AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 24, 1956, the President had approved and signed the following act and joint resolution:

S. 3254. An act to authorize the county of Custer, State of Montana, to convey certain lands to the United States; and

S. J. Res. 166. Joint resolution to designate the dam and reservoir to be constructed on the lower Cumberland River, Ky., as Barkley Dam and Lake Barkley, respectively.

**EXECUTIVE MESSAGES REFERRED**

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

**LEAVE OF ABSENCE**

On his own request, and by unanimous consent, Mr. SPARKMAN was excused from attendance on the session of the Senate tomorrow.

**COMMITTEE MEETINGS DURING SENATE SESSION**

On request of Mr. JOHNSON of Texas, for Senator NEELY, and by unanimous consent, the Judiciary Subcommittee of the Committee on the District of Columbia and the conference committee on the District of Columbia transit bill (S. 3073) were authorized to meet during the session of the Senate today.

**DEATH OF REPRESENTATIVE GRANAHAN, OF PENNSYLVANIA**

Mr. MARTIN of Pennsylvania. Mr. President, it is my sorrowful duty to bring to the attention of my colleagues in the Senate the fact that Representative WILLIAM T. GRANAHAN died on Friday.

Mr. GRANAHAN underwent a minor operation 2 days previously, and died suddenly in the Fitzgerald Mercy Hospital, Darby, Pa., from a heart attack.

Mr. GRANAHAN, at the age of 60, had just previously won the nomination for a sixth term in Congress.

I had the honor and pleasure of being well acquainted with Representative GRANAHAN, who represented Pennsylvania's Second Congressional District in west Philadelphia. He was a splendid colleague, and one who could always be depended on to give his own personal consideration to problems or situations which were presented to him. He represented his district with honor and distinction, and served his State and Nation with devotion.

Mr. GRANAHAN was born in south Philadelphia, and was a graduate of Roman Catholic High School. Before coming to Congress, he was supervisor of inheritance taxes for the Commonwealth of Pennsylvania, and chief disbursing officer for the State treasurer.

He was first elected to Congress in 1944. He was elected again in 1948, and was reelected in 1950, 1952, and 1954. He was a member of the Interstate and Foreign Commerce Committee of the House, and was especially devoted to the cause of the great Delaware Valley.

He was a veteran, and served in Europe for 18 months during the First World War. He was a leading member of the American Legion, Catholic War Veterans, and the Veterans of Foreign Wars.

We extend our deep sympathy to his wife, the former Kathryn O'Hay McNally, whom he married in 1943, and to all the other members of his family.

Later in the day, Mr. President, I shall submit a formal resolution.

**ORDER FOR TRANSACTION OF ROUTINE BUSINESS**

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the transaction of routine business, with a limitation of 2 minutes on statements. The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum. The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDENT pro tempore. Without objection, it is so ordered.

**EXECUTIVE COMMUNICATIONS, ETC.**

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

**CONTROL AND ERADICATION OF CERTAIN ANIMAL DISEASES**

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural conservation and related agricultural programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation and the Forest Service, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

**PLANS FOR WORKS OF IMPROVEMENT IN WATERSHED PROTECTION AND FLOOD CONTROL**

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement under the Watershed Protection and Flood Prevention Act (with accompanying papers); to the Committee on Agriculture and Forestry.

**PROPOSED LOAN OF MODEL OF U. S. S. "SAN JACINTO" TO BATTLESHIP TEXAS MUSEUM**

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to loan to the Battleship Texas Museum, an exhibition model of the U. S. S. *San Jacinto*; to the Committee on Armed Services.

**REPORT OF RUBBER PRODUCING FACILITIES DISPOSAL COMMISSION**

A letter from the Chairman and Members of the Rubber Producing Facilities Disposal Commission, Washington, D. C., transmitting, pursuant to law, a report of that Commission, and recommending the disposal of the Government-owned alcohol-butadiene plant at Louisville, Ky. (with an accompanying report); to the Committee on Banking and Currency.

**EXTENSION OF AUTHORITY OF ADMINISTRATOR OF VETERANS' AFFAIRS TO EMPLOY RETIRED OFFICERS WITHOUT AFFECTING THEIR RETIRED STATUS**

A letter from the Administrator, Veterans' Administration, Washington, D. C., transmitting a draft of proposed legislation to extend the authority of the Administrator of Veterans' Affairs to appoint and employ retired officers without affecting their retired

status (with an accompanying paper); to the Committee on Finance.

**AMENDMENT OF ATOMIC ENERGY ACT OF 1954**

A letter from the Chairman, United States Atomic Energy Commission, Washington, D. C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954 (with accompanying papers); to the Joint Committee on Atomic Energy.

**AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946, RELATING TO PAYMENT OF CERTAIN TRAVEL AND TRANSPORTATION COSTS**

A letter from the Chairman, United States Civil Service Commission, Washington, D. C., transmitting a draft of proposed legislation to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

**PETITIONS AND MEMORIALS**

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Post Office and Civil Service:

"Resolutions memorializing the Postmaster General of the United States protesting the discontinuance of postage stamps bearing the portraits of John Adams and John Quincy Adams and urging the restoration thereof

"Whereas the Post Office Department of the United States has discontinued the use on United States postage stamps of the portraits of John Adams and his son, John Quincy Adams, the second and sixth Presidents of the United States, and distinguished citizens of the Commonwealth of Massachusetts; and

"Whereas it is unthinkable that this great Nation should banish from the face of its stamps the man who carried the fight for the Declaration of Independence through the Continental Congress, nominated Washington as Commander in Chief, and appointed John Marshall Chief Justice of the United States, and it is equally unthinkable that it should banish his brilliant son, who, beginning his diplomatic career at the age of 17, served his country with unequalled integrity as Secretary of State, President, and as Congressman, dying at his post defending the rights of the least of his fellow citizens to be heard: Therefore, be it

"Resolved, That the Massachusetts House of Representatives urges the Postmaster General of the United States to take immediate action to restore the portraits of John Adams and John Quincy Adams to their appropriate and rightful places upon the 2-cent and 6-cent postage stamps; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the Postmaster General, to the Presiding Officer of each branch of Congress, and to each of the Members thereof from this Commonwealth."

A resolution of the House of Representatives of the State of Michigan; to the Committee on Foreign Relations:

"House Resolution No. 48

"Resolution memorializing the Congress of the United States to implement the tripartite declaration of the United States, Great Britain, and France guaranteeing the borders of Israel

"Whereas the State of Israel was created by resolution of the United Nations on No-

vention 29, 1947, and was recognized by the United States on May 14, 1948; and

"Whereas the State of Israel has secured her borders by force of arms from invading aggressor nations; and

"Whereas on May 25, 1950, the United States, Great Britain, and France guaranteed these borders by tripartite agreement; and

"Whereas certain Communist nations have sold munitions to Egypt, thus threatening the peace of the Middle East and the entire world; and

"Whereas the State of Israel has requested this Nation to sell certain arms for its own protection: Now, therefore, be it

*Resolved by the house of representatives*, That the Congress of the United States be and it is hereby petitioned and urged to take such action as may be necessary to make available to the State of Israel such arms as may be necessary and also to negotiate a mutual security pact with the State of Israel; and be it further

*Resolved*, That copies of this resolution be forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives in Congress, and to the Michigan Members of the Senate and House of Representatives in Congress."

A resolution of the General Assembly of the State of New Jersey; to the Committee on Finance:

"Concurrent resolution memorializing the Congress of the United States to enact legislation to conform with recommendations in the Report of Interdepartmental Committee on Narcotics to the President, dated February 1, 1956

"Whereas the Interdepartmental Committee on Narcotics to the President has filed a report under date of February 1, 1956; and

"Whereas said report contains inter alia the following recommendations:

"Recommendation No. 1 providing that the Federal Government shall encourage continuing studies of the narcotics problem within the States and municipalities by providing guidance and information for the assistance thereof;

"Recommendation No. 2 providing that assistance to the States and municipalities by the Federal agencies include provision of courses of instruction for both public health and enforcement officers, to be conducted in Washington and also by visits of small teams of qualified experts to appropriate centers;

"Recommendation No. 6 providing that should certain of the States wish to provide for commitment to the Federal hospitals, pending the availability of comparable facilities under State auspices, legislation authorizing this for a limited period, in the future, and on a reimbursable basis, be considered for enactment;

"Recommendation No. 7 providing that the Public Health Service Act, Public Law 410 of the 78th Congress, be amended to permit the Surgeon General of the Public Health Service to disclose information on voluntary patients under the usual regulations governing disclosure of material in the medical records, where, in his opinion, physicians and recognized health and welfare agencies will be enabled to act in the interest of the patients in further treatment of their addiction; and

"Whereas the State of New Jersey has specific interest in the carrying out of these recommendations: Therefore be it

*Resolved by the General Assembly of the State of New Jersey (the Senate concurring)*:

"1. The Legislature of the State of New Jersey does hereby memorialize the Congress of the United States to enact appropriate legislation to carry out the provisions of Recommendations Nos. 1, 2, 6 and 7 of the report of the Interdepartmental Committee

on Narcotics to the President, dated February 1, 1956, hereinbefore described, as an aid to the carrying out of the State's program for the control of the use and traffic in narcotic drugs.

"2. Copies of this resolution, when adopted and signed by the speaker of the general assembly and attested by the clerk, shall be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Senators and Representatives in Congress from the State of New Jersey, and the Surgeon General of the Public Health Service.

"LEO J. MOSCH,

*Speaker of the General Assembly.*

"Attest:

"WILLIAM J. KOLMAN,

*Clerk of the General Assembly.*"

A petition signed by 4 members of the senate and 4 members of the house of representatives of the Legislature of Hawaii, Hilo, Hawaii, relating to reapportionment of the Hawaiian Legislature; to the Committee on Interior and Insular Affairs.

A telegram from the annual congress of the North American and Canadian Diocese of the Russian Orthodox Greek Catholic Church, in New York, N. Y., signed by Archbishop Vitaly, chairman, extending greetings to the Congress of the United States; ordered to lie on the table.

#### AUDIT REPORT OF THE NAVY CLUB OF THE UNITED STATES

The PRESIDENT pro tempore laid before the Senate an audit report of Navy Club of the United States of America, for the fiscal year ended April 30, 1956, which was referred to the Committee on the Judiciary.

#### REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LEHMAN, from the Committee on Labor and Public Welfare, with amendments:

H. R. 9824. A bill to establish an educational assistance program for children of servicemen who died as a result of a disability or disease incurred in line of duty during World War II or the Korean conflict (Rept. No. 2063).

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,  
The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Walter C. Dowling, of Georgia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Korea;

J. Graham Parsons, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Laos, vice Charles W. Yost;

Theodore C. Achilles, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Peru, vice Ellis O. Briggs; and

Ellis O. Briggs, of Maine, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Brazil, vice James Clement Dunn.

#### NOMINATION OF CHARLES J. LOWEN, JR., TO BE ADMINISTRATOR OF CIVIL AERONAUTICS

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported favorably the nomination of Charles J. Lowen, Jr., of Colorado, to be Administrator of Civil Aeronautics, and submitted a report (Ex. Rept. No. 6) thereon.

On request of Mr. MAGNUSON, and by unanimous consent, it was,

*Ordered*, That the Senator from South Carolina [Mr. WOFFORD] be given permission to file minority views on the nomination of Charles J. Lowen, Jr., to be Administrator of Civil Aeronautics.

The PRESIDENT pro tempore. The report will be received, and together with the minority views, will be printed, and the nomination will be placed on the Executive Calendar.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAYNE:

S. 3937. A bill to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine; to the Committee on Government Operations.

(See the remarks of Mr. PAYNE when he introduced the above bill, which appear under a separate heading.)

By Mr. BENDER:

S. 3938. A bill for the relief of Milka Krivec; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 3939. A bill for the relief of certain Korean war orphans; to the Committee on the Judiciary.

By Mr. YOUNG (for himself, Mr. MURRAY, and Mr. LANGER):

S. 3940. A bill to assure the accurate labeling and advertising of alimentary paste products with respect to their durum wheat flour or semolina content; to the Committee on Labor and Public Welfare.

By Mr. ANDERSON (for himself and Mr. BARRETT):

S. 3941. A bill relating to certain mining claims which were eligible for validation under the act of August 12, 1953 but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period; to the Committee on Interior and Insular Affairs.

By Mr. O'MAHOONEY (by request):

S. 3942. A bill to set aside certain lands in Oklahoma for the Cheyenne and Arapaho Indians; to the Committee on Interior and Insular Affairs.

By Mr. LONG:

S. 3943. A bill authorizing a comprehensive project for control and progressive eradication of salt-marsh and other injurious mosquitoes in the coastal area of southwest Louisiana; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LONG when he introduced the above bill, which appear under a separate heading.)

By Mr. IVES:

S. 3944. A bill for the relief of Rebecca Erriete Mustacchi; to the Committee on the Judiciary.

By Mr. WATKINS (by request):

S. 3945. A bill for the relief of Walter C. Jordan and Elton W. Johnson; to the Committee on the Judiciary.

By Mr. MONRONEY (for himself, Mr. PAYNE, and Mr. O'MAHONEY):

S. 3946. A bill to amend the Federal Trade Commission Act with respect to certain unfair methods of competition and certain unfair practices in the distribution of new motor vehicles in interstate commerce.

(See the remarks of Mr. MONRONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. DANIEL (for himself and Mr. JOHNSON of Texas):

S. 3947. A bill to authorize and direct the Secretary of Agriculture to convey to the Sabine River Authority of Texas easements in certain lands of the United States within the Sabine National Forest, Tex.; to the Committee on Agriculture and Forestry.

S. 3948. A bill to amend the Texas City Disaster Claims Act; to the Committee on the Judiciary.

#### TRANSFER OF CERTAIN PROPERTY TO THE TOWN OF CASTINE, MAINE

Mr. PAYNE. Mr. President, I introduce, for appropriate reference, a bill to authorize the transfer of certain federally owned real property to the town of Castine, Maine, and I ask unanimous consent that the bill, together with a copy of a memorandum I have prepared on the bill, may be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 3937) to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine, introduced by Mr. PAYNE, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the town of Castine, Maine, for public-park purposes, all right, title, and interest of the United States in and to that portion of the property known as the Dice Head Lighthouse Reservation, Maine, consisting of the light tower and the plot of land surrounding such tower 100 feet square (together with any right of ingress and egress thereto), which was accepted from the conveyance transferring a part of such reservation to the town of Castine, Maine, authorized by section 5 of the act entitled "An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes," approved May 28, 1935 (49 Stat. 305), such property having been transferred to the Administrator of General Services for disposition as surplus property. The exact legal description of the property authorized to be conveyed under this act shall be determined by the said Administrator.

SEC. 2. The conveyance authorized by this act shall be subject to the conditions (1) that in the event the property conveyed pursuant to this act ceases to be used for public-park purposes all right, title, and interest so conveyed shall revert to the United States in accordance with the provisions of section 36 of the act referred to in the first section of this act, and (2) that the United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of such property so conveyed, at any time and without the consent of the grantee.

The memorandum, presented by Mr. PAYNE, is as follows:

#### MEMORANDUM BY SENATOR PAYNE

The bill I am introducing today would convey to the town of Castine, Maine, a small area of land consisting of about 100 square feet. The property is a part of an area known as the Dice's Head Lighthouse Reservation. In 1935 Congress by an act approved May 28, 1935 (49 Stat. 305), authorized conveyance of the Dice's Head Lighthouse Reservation to the town of Castine but reserved the light tower and 100 square feet of land in the event that the light should be reestablished. This small reservation is entirely within the area transferred to Castine and is not accessible except over such area. The reservation was conveyed to the town on the condition that it be used as a public park.

In 1953 the small area in question was declared surplus to the needs of the Federal Government. Some representatives of the Coast Guard indicated that the property would be given to the town of Castine, and the town took all steps necessary to accept it as a gift. The town went so far as to undertake maintenance of the property including painting the light tower. Since the Coast Guard had no authority to give the property away the proposal was disapproved and the property turned over to the General Services Administration for disposal. GSA offered to sell the land to the town of Castine, but it is a small community and was not financially able to purchase the property.

When the town of Castine was unable to purchase the land, GSA advertised it for sale and accepted a bid. When the prospective buyer inspected the land and found that it was located inside a public park he refused to complete the purchase. The matter was first brought to my attention during the pending sale, but at that time it would have been unfair to the buyer, who acted in good faith, to introduce legislation. Since the sale was not completed and there is now no sale pending, I am introducing this bill to give the land to the town of Castine for use as a public park.

The conveyance to the town would be subject to two conditions. First, if the area should cease to be used as a park, title would revert to the Federal Government. Second, if it should become necessary to reestablish the light the Government could take back the property.

It is my belief that the bill I am introducing today will serve to carry out the intent of Congress in the act of 1935 when it transferred some 80 percent of the Dice's Head Lighthouse Reservation to Castine. The only reason for reserving any part of the area was the possible future needs of the Government, and it is certainly reasonable to assume that Congress intended for the town to have the excepted area under the same terms as the original grant whenever it could be determined that the Government no longer had any need for the area. As I have indicated, the land in question is entirely within the boundaries of the original grant, and consequently is surrounded by a public park. It is difficult to see how such property could have any real value to a private owner, and this conclusion is borne out but the fact that a potential private owner refused to purchase the land after inspecting the situation.

It is hoped that Congress will act favorably on this bill during the present session.

#### CONTROL AND ERADICATION OF MOSQUITOES IN SOUTHWEST LOUISIANA

Mr. LONG. Mr. President, I introduce, for appropriate reference, a bill authorizing a comprehensive project for control

and progressive eradication of salt-marsh and other injurious mosquitoes in the coastal area of southwest Louisiana. I ask unanimous consent that a statement, prepared by me, relating to the bill, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3943) authorizing a comprehensive project for control and progressive eradication of salt-marsh and other injurious mosquitoes in the coastal area of southwest Louisiana, introduced by Mr. LONG, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. LONG is as follows:

#### STATEMENT BY SENATOR LONG

1. Anyone familiar with the Mississippi Delta and gulf coast of Louisiana has felt the sting of salt-marsh and flood-water mosquitoes blown inland from breeding marshes and knows about their power of flight and ability to be carried by wind for many miles as well as their viciousness and the effect of their attacks. The great swarms that arise from the marshes following storms and lesser ecological disturbances that create conditions favorable to mosquito breeding, forming clouds of destruction wafted inland to add to an already dense mosquito population, are intolerable for man and beast alike in an area of economic importance.

2. These conditions are not new but their occurrence is more frequent and is taking on greater importance with the economic development of the resources of the region, some of which contribute substantially to the conditions and call for exploration of remedial measures. The coastal marshes of Louisiana are built upon a foundation of vegetation which has been progressively sinking for many years bringing about higher water levels and intrusion of salt water in the marsh areas favorable to mosquito production. Salt-water brought to the surface by oil and mineral development has changed some fresh water areas to a saline condition. The deepening and widening of existing water channels and construction of new channels for navigation to the Gulf of Mexico and through the Intracoastal Waterway has admitted more salt water into the marsh area. Guard locks installed to prevent salt-water from entering the canals from which many farmers derive their fresh-water supply undoubtedly have caused a major increase in the extent to which salt-water overflows the marshes. The resulting inter-mixture of fresh- and salt-water and changes in water levels throughout the extensive marshes along the coast create an abundant breeding area for mosquitoes. Livestock production, recreational development, and human occupation in the vicinity are seriously affected to the point that full development of the resources of the region will require the necessary investigations to determine the factors that make up the potential of the marshes for mosquito production, the means whereby mosquito production may be controlled, and development of an operational program that will provide the necessary relief from mosquito infestation that now impedes full development and use of the resources of the coastal area.

3. It is recognized that the control of mosquitoes is primarily a responsibility of the State and local interests. However, now that the Federal Government has expended millions of dollars in development of the water resources of the coastal area of Louisiana for navigation, flood control, water supply,

salt-water regulation, and agricultural, industrial, and recreational uses, it is equitable that the Federal Government cooperate with the State of Louisiana in providing funds for survey of the situation that has developed concurrently with these improvements, research in development of control methods, and experimentation in control practices to realize the full benefits of the improvements that have been made.

4. The Corps of Engineers, as the Federal agency primarily concerned with the problem, is well prepared to conduct the necessary engineering and operational investigations and the experimental and demonstration activities and to direct the exploration of the technical problems associated with mosquito production in the areas affected by Federal water-control projects and to undertake development of adequate mosquito control measures in cooperation with the State of Louisiana and other interested Federal agencies. Millions of dollars of Federal funds have been expended in a similar manner through the Corps of Engineers for the same general purpose with outstanding success for development of mosquito control in connection with reservoirs in upland areas under jurisdiction of the Corps. Improvements brought about by these endeavors have resulted in establishing satisfactory controls and reduction in costs for management of reservoirs throughout the principal mosquito breeding areas of the United States. Extension of the same type activity to the coastal area of Louisiana in the vicinity of Federal water-control structures will serve an equally urgent need and results obtained will be equally applicable to many other coastal areas of the same type in other States. It is anticipated that joint endeavors may substantially improve and reduce the cost of the continuing program of the State of Louisiana for mosquito control in the coastal areas.

5. It is proposed that, subject to further planning by the Corps of Engineers and the State of Louisiana, a project area be selected in the coastal marshes of Louisiana between the Calcasieu and Mermentau Rivers, or some equally suitable area; for study, experimentation, and demonstration; for control of salt-marsh and other injurious mosquitoes, including comprehensive investigation of environmental factors and conditions favorable to mosquito production and all possible biological, chemical, mechanical, or other methods that may be economically practiced and demonstrated successful for control of mosquitoes.

6. In order to accomplish the above purposes, it is proposed that Federal funds in the amount of \$250,000 per year be appropriated for a period of 3 years for the Corps of Engineers to be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, subject to concurrence and cooperation of the State of Louisiana through its agency or agencies responsible for mosquito control activities.

#### AMENDMENT OF FEDERAL TRADE COMMISSION ACT, RELATING TO PRACTICES IN DISTRIBUTION OF NEW MOTOR VEHICLES

Mr. MONRONEY. Mr. President, on behalf of myself, the Senator from Maine [Mr. PAYNE], and the Senator from Wyoming [Mr. O'MAHONEY], I introduce, for appropriate reference, a bill to amend the Federal Trade Commission Act with respect to certain unfair methods of competition and certain unfair practices in the distribution of new motor vehicles in interstate commerce. I ask unanimous consent that the bill may lie on the table for 3 days, in order to permit additional sponsorship.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oklahoma.

The bill (S. 3946) to amend the Federal Trade Commission Act with respect to certain unfair methods of competition and certain unfair practices in the distribution of new motor vehicles in interstate commerce, introduced by Mr. MONRONEY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

#### FEDERAL-AID HIGHWAY ACT OF 1956—AMENDMENTS

Mr. LEHMAN submitted amendments, intended to be proposed by him, to the bill (H. R. 10660) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to amend the Internal Revenue Code of 1954 to provide additional revenue from the taxes on motor fuel, tires, and trucks and buses; and for other purposes, which were ordered to lie on the table and to be printed.

Mr. COTTON submitted an amendment, intended to be proposed by him, to House bill 10660, supra, which was ordered to lie on the table and to be printed.

Mr. SMATHERS submitted amendments, intended to be proposed by him, to House bill 10660, supra, which were ordered to lie on the table and to be printed.

Mr. KUCHEL submitted an amendment, intended to be proposed by him, to House bill 10660, supra, which was ordered to lie on the table and to be printed.

Mr. BUSH submitted amendments, intended to be proposed by him, to House bill 10660, supra, which were ordered to lie on the table and to be printed.

Mr. CAPEHART submitted amendments, intended to be proposed by him, to House bill 10660, supra, which were ordered to lie on the table and to be printed.

Mr. CAPEHART (for himself and Mr. JENNER) submitted amendments, intended to be proposed by them, jointly, to House bill 10660, supra, which were ordered to lie on the table and to be printed.

Mr. JENNER (for himself and Mr. CAPEHART) submitted an amendment, intended to be proposed by them, jointly, to House bill 10660, supra, which was ordered to lie on the table and to be printed.

Mr. ALLOTT submitted amendments, intended to be proposed by him, to House bill 10660, supra, which were ordered to lie on the table and to be printed.

Mr. BARRETT (for himself, Mr. O'MAHONEY, Mr. ALLOTT, Mr. DWORSHAK, Mr. MANSFIELD, Mr. BIBLE, and Mr. MAGNUSON) submitted an amendment, intended to be proposed by them, jointly, to House bill 10660, supra, which was ordered to lie on the table and to be printed.

#### PRINTING AS SENATE DOCUMENT OF SPECIAL REPORT ENTITLED "INTERNATIONAL GEOPHYSICAL YEAR" (S. DOC. NO. 124)

Mr. HAYDEN. Mr. President, at the meeting of the Committee on Appropriations on May 24, in connection with consideration of the independent offices appropriation bill, it was recommended that a committee print of a special report on the United States program of cooperation in the International Geophysical Year, as prepared by the National Academy of Sciences, and submitted by the National Science Foundation, be printed as a Senate document, with illustrations.

I present the committee print, and ask that it be so printed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. HAYDEN. I ask unanimous consent that the correspondence relating to the report, together with a press release explaining its purpose, be printed as a part of my remarks.

There being no objection, the correspondence and press release were ordered to be printed in the RECORD, as follows:

NATIONAL SCIENCE FOUNDATION,  
OFFICE OF THE DIRECTOR,  
Washington, D. C., March 28, 1956.  
The Honorable WARREN G. MAGNUSON,  
Chairman, Subcommittee on Independent Offices Appropriations and Government Matters, United States Senate, Washington, D. C.

MY DEAR SENATOR MAGNUSON: I am transmitting herewith the special report on the United States program for the International Geophysical Year, as requested by you during our recent appropriation hearing.

The report presents the scientific programs now planned by the United States as well as a brief synopsis of activities to date in connection with the International Geophysical Year. It contains considerable information that has not as yet been published.

It is my understanding that you are considering publishing the material as a special report of your committee. The services of members of my staff or of the United States National Committee are available to assist you in any way in editing the material or in preparing it for the printer.

The report was prepared by the United States Committee for the International Geophysical Year of the National Academy of Sciences.

Dr. Kaplan, Chairman of the Committee, joins me in expressing our sincere appreciation for the interest displayed by your committee in this great scientific undertaking. Sincerely yours,

ALAN T. WATERMAN,  
Director.

UNITED STATES SENATE,  
COMMITTEE ON APPROPRIATIONS,  
Washington, D. C., May 3, 1956.

DR. ALAN T. WATERMAN,  
Director, National Science Foundation,  
Washington, D. C.

DEAR DR. WATERMAN: I want to thank you for sending me the very comprehensive report covering participation by the United States in the worldwide program of the International Geophysical Year. At a time when we are inching along toward international political understanding, this cooperative effort in which 46 nations join together to observe and study geophysical phenomena comes as reassuring news.

In my capacity as chairman of the subcommittee of the Senate which approved

the appropriation of funds for the program, I have previously reviewed the plans for the International Geophysical Year and I am convinced that this cooperative effort will undoubtedly unlock secrets of nature of vast importance to the welfare of mankind.

It appears to me that the story of the International Geophysical Year—its programs and objectives—should be made known to the citizens of the United States, since the results of this venture, particularly as they relate to weather forecasting, communications, and transportation, may well affect the lives of all of us. Furthermore, at a time when the United States urgently requires more and better trained scientists and engineers, the exciting nature of the International Geophysical Year should serve as a stimulant to our youngsters toward careers in science.

The data you have sent me summarizes the International Geophysical Year programs and objectives completely, yet concisely, and could well serve as a mechanism for bringing the International Geophysical Year to the attention of all our citizens—particularly to our high-school students. Therefore I have today requested the Honorable CARL HAYDEN, chairman of the Senate Appropriations Committee, to cause the data you sent me to be reproduced as an official print of the committee and to be issued as a Senate document.

Sincerely yours,

WARREN G. MAGNUSON,  
Chairman, Subcommittee on Independent Offices and General Government Matters.

To more fully inform the public about the International Geophysical Year, the Senate Committee on Appropriations is publishing a report summarizing its programs and objectives, according to a joint announcement today by Senator CARL HAYDEN, chairman of both the congressional Joint Committee on Printing and the Senate Committee on Appropriations, and Senator WARREN G. MAGNUSON, chairman of the Subcommittee on Independent Offices Appropriations. Senator HAYDEN pointed out that it is unusual for the Senate committee to publish a scientific document of this length, and that it is doing so now because of the dramatic scope of the international geophysical year program and its importance to the people of the United States.

"This unparalleled scientific effort known as the International Geophysical Year is very much in the national interest," Senator MAGNUSON asserted. "It will, for example, give us vital information on natural events that exert a controlling influence on our daily lives, on commerce, industry, transportation, and on the range and reliability of radio, television, and navigation systems. From the scientific standpoint these studies will produce needed information, for example, about cosmic rays, the ionosphere, particles from the sun, the weather, the relationship between the sun and the earth, and other important aspects of the physics of the earth and its atmosphere."

Senator MAGNUSON described the scope of the United States program for the International Geophysical Year. "It will," he explained, "include scientific studies in the Antarctic, the Arctic, the continental Americas, the Atlantic and Pacific, and even high in the atmosphere above us." "To learn all these things," said Senator MAGNUSON, "the scientists will use the most up-to-date methods available, including elaborate expeditions to the Arctic and Antarctic, oceanographic vessels making long sea voyages, rockets, and earth-circling satellites."

Senator MAGNUSON explained that "observations in many cases will be taken on agreed-upon 'world days' when the geophysicists of the 46 participating nations, located at prearranged points about the

globe, will simultaneously and on a completely coordinated basis make their observations of particular natural phenomena. The period 1957-58 has been chosen because it will be a time of exceptional solar activity. Never before has such a comprehensive worldwide scientific endeavor been undertaken."

Senator MAGNUSON indicated that each nation is planning and conducting its own program, but that all national programs are technically coordinated. He said that the program of the United States had been planned by the Nation's leading geophysicists, gathered together by the National Academy of Sciences.

Publication of the report will serve the important purpose of providing comprehensive and lucid information on this unprecedented international scientific effort to Members of Congress, Government agencies interested in the program, scientists, and the general public.

Compilation of this report resulted from a request by Senator WARREN G. MAGNUSON, to Alan T. Waterman, Director of the National Science Foundation.

Senator HAYDEN said: "It seems fitting that it should be the National Science Foundation which has been assigned the responsibility for securing and administering the Federal funds needed to carry out the United States program. The Foundation, in assuming this duty, is fulfilling its responsibility for supporting scientific research, as was originally envisaged by Senator MAGNUSON, who, with Senators H. ALEXANDER SMITH and LEVERETT SALTONSTALL, contributed so much to the creation of the Foundation 6 years ago."

The Senate recently voted to appropriate an additional \$28 million for the purpose of balancing the total United States program with that planned internationally and to finance the satellite project. In addition, many scientific institutions and universities are contributing the use of their laboratories, observatories, and staff members to the program.

#### NOTICE OF HEARING ON H. R. 7049, CODIFICATION AND ENACTMENT INTO LAW OF TITLE 10, UNITED STATES CODE, ENTITLED "ARMED FORCES," AND TITLE 32, UNITED STATES CODE, ENTITLED "NATIONAL GUARD"

Mr. McCLELLAN. Mr. President, on behalf of the standing Subcommittee on Revision and Codification of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, June 1, 1956, at 10:30 a. m., in room 424, Senate Office Building, on H. R. 7049, to revise, codify, and enact into law title 10 of the United States Code, entitled "Armed Forces," and title 32 of the United States Code, entitled "National Guard." At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maryland [Mr. BUTLER], and myself, the chairman.

#### ADDRESS BY THE PRESIDENT AT BAYLOR UNIVERSITY, WACO, TEX.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a speech made by President Eisenhower when he received an honorary degree at Baylor Uni-

versity, in Waco, Tex., last Friday. This talk emphasizes the importance of better education, more broadly spread among the free peoples of the world, to build a greater opportunity for peace. With education comes a greater knowledge of the meaning of freedom and understanding of the responsibility that goes with it. As one who has supported scholarships and worked toward greater opportunities for more education for all, and by that means toward better understanding among all people, I am heartily in accord with what the President said. I can only add that we have responsibility here at home, too, to stimulate the education of scientists and doctors and make it possible for the young people of today to get the most out of their talents. The more that can be done through private endeavor, with Government assistance only when proven necessary, the better it will be for us all.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT AT BAYLOR UNIVERSITY COMMENCEMENT CEREMONIES, WACO, TEX., MAY 25, 1956

Members of the graduating class and fellow Texans, the honor you have conferred on me joins me with a great school of great traditions, of great achievements, of great goals. Baylor's 10 schools and colleges are the fruition of seeds planted in 1845 at Old Independence. Baylor's graduates in positions of leadership testify to the wisdom and foresight of Baylor's founders. Your magnificent Armstrong Browning library exemplifies the growth of Baylor as a principal cultural center of the Southwest.

This university is dedicated to true education; it strives to develop wisdom. This implies, over and beyond mere knowledge, an understanding of men's relationship to their fellow men in a world created for their stewardship by a God in whose image they are all made.

You have been taught here to do justice and to love mercy and to walk humbly before your Maker even as you use every opportunity to better yourselves through the profession in which you have been here grounded.

Now you enter a new phase of your life experience—in a world where the principles by which you live are frequently flouted and ignored. What is your place in this world? What can you do to improve it? Pointedly, what can each one of you as an individual do to promote a world society that respects the values in which you, and this school, believe so deeply. The thoughts I bring to you this morning deal primarily—and that sketchily—with the international phases of a suggested answer.

I speak of international affairs for a very simple reason. In the fundamental struggle in which the world is now engaged, world issues create, or at least color, almost every domestic question and problem.

Clear comprehension on the basic factors involved is vitally important to leaders and officials and to every citizen of this country and of the free world. Such understanding, I submit, is especially important to you young people who perform most look at these critical current problems against a horizon of 10, 20, 40 years hence.

Today a militant, aggressive communistic doctrine is dominant over much of the world's surface and over hundreds of millions of the world's people. In the postwar period we have seen it indulge in a particularly cynical type of colonialism, expressed in the Communist subjugation of once free and proud

nations in Europe and in Asia. Simultaneously, in the free areas of the world, 600 million people in more than a score of new countries have achieved independence.

Communism denies the spiritual premises on which your education has been based. According to that doctrine, there is no God; there is no soul in man; there is no reward beyond the satisfaction of daily needs. Consequently toward the human being communism is cruel, intolerant, atheistic. This doctrine, committed to conquest by lure, intimidation, and force, seeks to destroy the political concepts and institutions that we hold to be dearer than life itself. Thus communism poses a threat from which even this mighty Nation is not wholly immune.

Yet communism is, in deepest sense, a gigantic failure.

Even in the countries it dominates hundreds of millions who dwell there still cling to their religious faith; still are moved by aspirations for justice and freedom that cannot be answered merely by more steel and bigger bombers; still seek a reward that is beyond money or place or power; still dream of the day that they walk fearlessly in the fullness of human freedom.

The destiny of man is freedom and justice under his Creator. Any ideology that denies this universal faith will ultimately perish or be recast. This is the first great truth that must underlie all our thinking, all our striving in this struggling world.

A second truth is that the fundamental principles of human liberty and free government are powerful sources of human energy, loyalty, dedication, and guides to enduring success. They are mightier than armaments and armies.

Americans have recognized those two truths in the historical documents of the Republic. They are repeated in the preamble to the fundamental policy statement in our current series of national security directives. In part that preamble reads:

"The spiritual, moral, and material posture of the United States of America rests upon established principles which have been asserted and defended throughout the history of the Republic. The genius, strength, and promise of America are founded in the dedication of its people and government to the dignity, equality, and freedom of the human being under God.

"These concepts and our institutions which nourish and maintain them with justice are the bulwark of our free society and are the basis of the respect and leadership which have been accorded our Nation by the peoples of the world."

Much as we are dedicated to this expression of lofty sentiment, it will count for little unless every American—to the extent of his influence and capacity—daily breathes into it the life of his own practice. The test is the readiness of individuals to cleave to principle even at the cost of narrower, more immediate gains.

For you graduates, and for all citizens, opportunities to strengthen our assault on injustice and bigotry will be as numerous as the tasks you undertake and the people you meet each day. Nothing I might add could either quicken your recognition of such opportunities or strengthen your response to them. But certain it is that in this recognition and this response will be found the measure of America's future safety, progress, and greatness.

The third great truth that must underlie our thinking on international questions is this: People are what count. A sympathetic understanding of the aspirations, the hopes and fears, the traditions and prides of other peoples and nations, is essential to the promotion of mutual prosperity and peace. Such understanding is a compulsory requirement on each of us if, as a people, we are to discharge our inescapable national responsi-

bility to lead the world in the growth of freedom and human dignity.

Communism seeks to dominate or to destroy; freedom seeks to cooperate and to help others to build. But these basic differences are not self-evident. Therefore, the people of the world are not necessarily thinking in terms of opposing concepts of communistic dictatorship and of human rights and freedom.

Rather, today, the most unyielding expression of peoples' aspirations seems to be an intense nationalism. There is nothing to be feared in this—of itself. The right of a people, capable of self-government, to their own political institutions is deeply imbedded in American thinking. Among peoples as among our own citizens we believe the rights of the weak are identical with those of the strong. And, in the past we have helped many small nations to independence. We will continue to hail with satisfaction the birth of each new nation whose people, achieving independence and freedom, become peaceful members of the world community.

In this day, however, one acute economic problem grows more acute as each new nation steps forward to an independent place in the international family. New nations, springing up, create new political boundaries. Far too often these political boundaries become serious barriers to the flow of trade.

Such barriers are daily of more importance as increasing industrialization and specialization critically increase the economic interdependence of peoples. Specialization in any area—which implies an unbalanced local economy—is not necessarily a weakness, provided always that there is free opportunity for exchanging a portion of the products of such specialization for the other things needed to satisfy the requirements of people.

This means that, where any nation does not possess, within its own boundaries, the major elements of a broadly balanced economy, it is normally handicapped in assuring maximum satisfaction of human wants and a stable prosperity for its own people. So we find that the emotional urge for a completely independent existence may conflict with an equal desire for higher living standards.

This conflict, so obvious, is often ignored. But even the productivity and prosperity of this great country would vanish if our States were 48 separate nations, with economic and political barriers at each boundary preventing or impeding the interflow of goods, people, and information.

We must put to ourselves this question: How can we help answer both the great desire of peoples for a separate, independent existence and the need for economic union or, at least, effective cooperation among them?

This question is of vital importance to every nation. Unhappiness, unrest, and disaffection caused by depressed living standards can be as acute as when caused by political injustice. Disaffection, long continued, in any portion of the earth, can bring about political convulsions and grave global crises. In Communist areas the answer is achieved by compulsion.

But effective cooperation is not easily accomplished among free nations. Permit me in one illustration to point up the difficulty, among free peoples, of progress toward this type of union.

The statesmen of Western Europe have long been aware that only in broad and effective cooperation among the nations of that region can true security for all be found. They know that real unification of the separate countries there would make their combined 250 million highly civilized people a mighty pillar of free strength in the modern world. A free United States of Europe would be strong in the skills of its people, adequately endowed with material resources, and rich in

their common cultural and artistic heritage. It would be a highly prosperous community.

Without such unification the history of the past half century in Europe could go on in dreary repetition, possibly to the ultimate destruction of all the values those people hold most dear. With unification, a new sun of hope, security, and confidence would shine for Europe, and for the free world.

Why, then, has this great objective not been attained by intelligent peoples? The basic reasons are simply stated. First: It is the great pride of each nation in separate existence. Second, it is the intense fear of losing, in such a union, cherished local traditions and cultural and political institutions—and of suffering temporary economic dislocations. We, of course, appreciate the weight of such considerations—and are therefore patient—even though the history of this largest of our States refutes the fears that seem to loom so large in Europe.

Another stumbling block to European unity is the failure of populations as a whole to grasp the long-term political, economic, and security advantage of union. These are matters that do not make for a soul-stirring address on a national holiday. They can be approached only in thought, in wisdom—almost, we might say, in prayer.

Nevertheless—and happily—much progress has been made.

Years ago, our European partners began both to study and to act. Our country's help was given wherever possible because our own future security and prosperity are inescapably linked to those of our European friends. There was established the Brussels Compact, the Organization for European Economic Cooperation, the European Payments Union, the European Coal and Steel Community, and the Council of Europe. The North Atlantic Treaty Organization—NATO—although an organization comprehending much more than Western Europe, nevertheless provides the cooperative mechanism for greater security in the area. All these were set up to attack immediate problems in cooperation.

Despite setbacks and difficulties, these have been operating with increasing efficiency. So, European union, one of the greatest dreams of western man, seems nearer today than at any time in centuries, providing bright promise for the future of our European friends and for the growth and strength of liberty.

On a broader geographical scale, members of the Atlantic Community are working together in many different ways and through many different agencies. But such cooperation can usefully be further developed. At the NATO meeting several weeks ago it was decided that the members of the Atlantic Community should "examine actively further measures which might be taken at this time to advance more effectively their common interests." They designated a committee of three foreign ministers to advise on "ways and means to improve and extend cooperation in nonmilitary fields and to develop greater unity within the Atlantic Community."

This effort recognizes the truth that all peoples of the free world must learn to work together more effectively in the solution of our common problems or the battle for human liberty cannot be won. Among equals, attempting to perform a difficult task, there is no substitute for cooperation.

It is gratifying, to all of us, to know that Senator WALTER GEORGE has agreed to act as my personal representative and special ambassador in working for this new evolution of the Atlantic Community. Nothing could testify more forcefully to the critical importance of this project than the willingness of Senator GEORGE to undertake it.

Patiently but persistently we must work on. We must take into account man's hunger for freedom and for food; all men's

dignity as well as some men's power; the eventual triumph of right and justice over expediency and force.

The responsibility for carrying forward America's part in helping improve international cooperation cannot be met through paperwork in a governmental bureau. But it can be met through a combined effort by all of us, in and out of Government, all trying to develop the necessary understanding that every international problem is in reality a human one. You—the fortunate graduates of this great institution—are in a particularly advantageous position to lead in the development of this kind of thinking and understanding.

You owe it to yourselves and to your country to continue your study and critical analysis of the great international questions of our day. You can join with like-minded men and women in the many voluntary associations that promote people-to-people contact around the world. By means of them, the thorny problems of the time are scrutinized from many viewpoints. Solutions are approached by many avenues. Creative thinking is sparked. Mutual understanding is furthered.

Thus, every thinking person will come to understand that his country's future will be brighter as the lot of mankind improves; that no nation can in the long run prosper except as the world enjoys a growing prosperity.

We must indeed be partners for peace and freedom and prosperity, if those words are to record achievement as well as to express a dream.

The foreign policy of this Republic—if it serves the enduring purposes and good of the United States—must always be founded on these truths, thus expressing the enlightened interests of the whole American people.

Certainly the basic foreign-relations measures taken by the United States in this century have been so developed. They do not belong to any political party—they are American. These measures range from our support of the Organization of American States to our membership in the United Nations and our present programs of partnership and assistance.

The United Nations by its very comprehensiveness is a unique association within which nations of every political complexion and philosophy have their place. The smaller groupings, in which we hold membership, are bound together by a respect for common values and principles. They conform, of course, to the U. N. Charter. But in each organization the likeness in background or interest or purpose that characterizes the membership and the restricted geographical limits within which it operates—assures more effective discharge of their functions than is possible in a group as large as the U. N.

We shall continue in our loyalty to the United Nations. But we should, at the same time, further expand and strengthen our other international associations.

Some of them, although only a few years old, are already household words, recognized as immense contributions to the prosperity and the security of particular areas in the free world—and to our own prosperity and security. Yet none provides a complete answer to any of our international problems. Again, consider NATO.

A united Western Europe may still be on the far-off horizon. NATO is, nevertheless, a great alliance, rich in human and natural resources. But this great array is neither self-sustaining nor self-sufficient. Its freedom and prosperity and security are intertwined with the freedom and prosperity and security of many other nations—old and new and still to be born—that people an even greater portion of the earth. Within this community of freedom all are more sure of

their independence and prosperity and security when all join so that:

Mutual trade is fostered.  
Legitimate political and economic aspirations are advanced.  
Cultural traditions are respected.

The difficulties and misfortunes of the weaker are met by help from the stronger. To be backward or penny-wise in our practice of this truth can lead only to greater risk and greater cost—far greater cost to ourselves.

The ways in which progress along these four roads can be achieved are legion in number. The first, of which I've spoken at some length, is the need for the growth and spread of understanding among our own people. The next is that the peoples of other nations must, through similar study and thought, recognize with us the need for this kind of cooperation. This, in itself, is not easy. Many nations, although their cultures are ancient and rich in human values, do not possess the resources to spread the needed education throughout their populations. But they can wisely use help that respects their traditions and ways.

For example, the whole free world would be stronger if there existed adequate institutions of modern techniques and sciences in areas of the world where the hunger for knowledge and the ability to use knowledge are unsatisfied because educational facilities are often not equal to the existing need.

Do we not find here a worthy challenge to America's universities and to their graduates? I firmly believe that if some or all of our great universities, strongly supported by private foundations that exist in number throughout our land, sparked by the zeal and fire of educated Americans, would devote themselves to this task the prospects for a peaceful and prosperous world would be mightily enhanced.

In no respect should the purpose of these institutions be to transplant into a new area the attitudes, the forms, the procedures of America. The staffing, the conduct, the curriculum of each school would be the responsibility of the people where the school might be built.

Each school would help each nation develop its human and natural resources and also provide a great two-way avenue of communication. We would gain new knowledge and wisdom out of the priceless values of another people's traditions and proud heritage. They would gain knowledge in the technical and scientific fields where we have had an earlier start.

Such a voluntary effort in people-to-people partnership would be a dynamic, a fruitful corollary to three elements already effectively at work in our governmental foreign policy.

To our atoms for peace program.  
To our efforts to establish a climate in which universal disarmament can go forward.

To our long-sustained campaign for the exchange of knowledge and factual information between peoples.

Purposes and projects such as these—formulated by Republicans and Democrats—are parts of a comprehensive effort to meet present and future needs, to solve problems in the enlightened self-interest of the United States. It takes into account our global concerns on all the continents, on all the oceans.

It is not a haphazard, makeshift arrangement to meet day-to-day crises—big or little or imaginary.

Instead, it is a platform for the development of a stable, prosperous, peaceful world. Immediately concerned with this year and next year, our foreign policy is a realistic approach to a better world for all in 1966, 1976, and 1996.

The basic policy objectives I have described are in furtherance of the aspirations

of those who founded the Republic. These objectives are plainly advanced if we foster and secure conditions at home and abroad with which this system of freedom can live and under which it can find fertile ground for acceptance and growth. Thus our security and our aspirations are linked with the security and aspirations of liberty loving people in many other lands. It is idle to talk of community of interest with them in measures for defense, without recognizing community of interest with them in that which is to be defended.

Security cannot be achieved by arms alone, no matter how destructive the weapons or how large their accumulation.

So today it is vitally important that we and others detect and pursue the ways in which cultural and economic assistance will mean more to free world strength, stability and solidarity than will purely military measures.

You of this class, like all Americans, must act in terms of today. At the same time, you in particular should think in terms of those years that now seem so distant.

Increasingly, from this day onward, the influence of men and women now of your age will mold our course at home and abroad. It is logical that you should start immediately thinking about the Republic and the world that stretches out ahead. Then you can start working now for the sort of country and world you want as a home for your children and grandchildren.

You have in your heritage the dynamic principles that arouse visions in mankind.

You have in your hearts and minds the means to lift the eyes of men and women above the drab and desolate horizon of hate and fear and hopelessness.

For, my friends of Baylor, as Texans, as Americans, believing as you do in the brotherhood of man, and in his right to freedom—joined with all the millions of dedicated men and women at home, linked in partnership with hundreds of millions of like-minded people around the globe—you constitute the mightiest temporal force on earth.

#### THE CIVIL-RIGHTS RECORD OF THE ADMINISTRATION MUST MATCH WORDS WITH DEEDS

Mr. NEUBERGER. Mr. President, the administration has submitted to Congress a civil-rights program. It is not a strong program, and it does not go very far. But I commend the administration for it, and I plan to vote for a forward-looking civil-rights program if and when it reaches the floor of the United States Senate.

Furthermore, administration spokesmen have been making many speeches and statements proclaiming great and profound interest in the protection of racial and religious minorities. I also commend these statements.

Mr. President, the desire of the administration to protect minorities is most laudatory, as I have said. However, Mr. President, it also is well that words should square with actions—that no administration ever should be allowed to substitute mere oratory for deeds. For that reason, I believe the Senate and the Nation will be interested in a most significant situation in my home State of Oregon.

On May 18, 1956, Elmo E. Smith was nominated by Oregon Republicans as their candidate for reelection as Governor of the State. Mr. Smith succeeded to the governorship in January of this year, following the tragic and untimely

death of Gov. Paul L. Patterson. Governor Patterson, incidentally, had a fine record in the general field of civil rights.

It is significant that Republican leaders brought heavy political pressure to bear in order to secure a clear field for the nomination for Governor Smith, even to the extent of forcing Representative WALTER NORBLAD, of the First District, to withdraw from the gubernatorial contest after he actually had filled out his nomination papers and paid the legal filing fee. But, what is the record of the Oregon Republican standard bearer?

Mr. President, on February 17, 1949, the Oregon State Senate passed a historic fair employment practices bill, to forbid discrimination in jobs because of race, creed, religion, or color of an applicant. The bill passed by the overwhelming vote of 27 to 2. I am familiar with that vote because I sponsored—with many helpful cosponsors—the first fair employment practices bill ever introduced in the Oregon Legislature. One of the two State senators voting “no” on fair employment practices was Elmo E. Smith, now Governor of the State of Oregon.

On April 18, 1951, Mr. President, the Oregon State Senate passed a bill forbidding discrimination against students in trade and professional schools because of race, color, religion, or national origin. An ugly situation had developed in which Negro students were being barred from schools which taught mechanical trades and work in beauty parlors. This denied them job opportunities. The bill passed 25 to 5. Among the five State senators voting “no” was Elmo E. Smith, now Governor of the State of Oregon.

**ELMO SMITH OPPOSED BILLS SAFEGUARDING  
MINORITY RIGHTS**

Again, on March 16, 1953, Mr. President, the Oregon State Senate enacted a bill forbidding discrimination in public places, such as hotels and restaurants and theaters because of race, religion, color, or national origin. My wife and I were cosponsors of this bill, I am pleased to report. The bill passed 21 to 9. Among the nine State senators voting “no” was Elmo E. Smith, now Governor of the State of Oregon.

In other words, Mr. President, the present Governor of Oregon voted against all three measures adopted by our State to prevent discrimination against members of minority races or religions. From our research, Mr. President, we can find no other member of the Oregon State senate who voted against all three of these bills to safeguard minority rights in the State of Oregon. Elmo E. Smith stands alone in this unenviable category.

Mr. President, this is where we come to making words square with deeds. On a great many occasions, Republican orators urge the Democratic Party to repudiate its high officials who allegedly oppose civil rights for our colored citizens. This oratory has become particularly frequent during recent months.

So I ask the Republican Party what it plans to do about Elmo E. Smith, Republican candidate for Governor of Oregon, and now the head of his party's 1956 ticket in that State? Mr. Smith,

by his votes as a State senator, has demonstrated his opposition to the most simple and elemental legislation for safeguarding minority rights and privileges.

**CAN A CIVIL-RIGHTS PROGRAM BE SQUARED WITH  
AN ANTI-CIVIL-RIGHTS GOVERNOR?**

Can the Republican Party lay claim to sincere sponsorship of civil rights, so long as it supports a candidate with the obvious views and attitudes in this field held by Oregon's Gov. Elmo E. Smith? His nomination provides a revealing study in contrasts, when compared to the administration's professed concern for the rights of racial and religious minorities.

A few years ago, the Republican national committeeman for Oregon, as well as my predecessor in the Senate, the Honorable Guy Cordon, recommended State Senator Warren Gill to be United States attorney in our State. After long delay, Attorney General Herbert Brownell rejected the recommendation backing Mr. Gill, because of what then was claimed to be Mr. Gill's unfortunate and adverse record in the State legislature on civil rights. Mr. President, note this incongruity: The record of State Senator Gill on civil rights and liberties in the Oregon Legislature, while not outstanding in any respect, has been far better than that of Gov. Elmo E. Smith, the man who heads the Republican ticket in 1956. Does this mean Republican leaders are actually less wedded to civil rights now than they were several years ago? Could this be possible? I hope not.

For example, Mr. Gill—as a member of the legislature—voted for both the fair employment practices bill and the bill banning discrimination in trade schools. Elmo Smith opposed both these bills. Yet, by administration standards, because of his record on minority rights, Mr. Gill was unfit to be United States attorney for Oregon, while Elmo Smith evidently is qualified to be Governor of Oregon and to head the entire Oregon Republican ticket.

It will be interesting and significant to learn what the administration has to say about the fact that the most determined legislative foe of minority rights and minority liberties in Oregon is now the head of the Republican ticket in our State for the 1956 elections, the elections in which national GOP leaders expect to play so prominent a part.

I rather imagine the whole Nation, especially our minority groups, will watch this performance with keen interest.

In conclusion, I want to emphasize that I have no criticism to make of Governor Smith personally. I do not deal in personalities. But the people have a right to know his legislative record on so vital a question as human dignity and freedom. The founders of the State of Oregon wrote into the State constitution a provision for rollcall votes on the final passage of bills in the legislature for the very purpose of informing the electorate on such matters as the record of State senators and representatives on issues such as FEPC and civil rights.

**RICHARD M. NELSON, MONTANA  
HIGH-SCHOOL SCIENCE INSTRUCTOR,  
NAMED “MCCALL'S TEACHER  
OF THE YEAR”**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 2 minutes in addition to the customary allowance during the morning hour.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Montana is recognized for 2 additional minutes.

Mr. MANSFIELD. Mr. President, Richard M. Nelson, a Kalispell, Mont., high-school science teacher, who “enjoys the prestige that a successful football coach would enjoy in another scholastic climate,” is named “McCall's Teacher of the Year” in the magazine's June issue. Mr. Nelson, a science instructor at Flathead County High School, in Kalispell, will be presented to President Dwight D. Eisenhower at the White House at 11:15 a. m., Tuesday, May 29. He will be accompanied by two of his students—Gerald Miller, 16, a junior; and Everett O'Hara, 17, a senior—who were selected to represent their classmates. The boys are bringing gifts to the President. Everett O'Hara is bringing a solar-powered transistor radio—pocket-size—which he himself made; and Gerald Miller is bringing a “decision meter.” Both boys are from Kalispell, Mont. O'Hara will enter Montana State College this fall. His interest in science dates from the age of 10, and he has won several science fair prizes. He is sports editor of his school newspaper, and was president of the student body. He is the only child of Gilbert and Agnes O'Hara. His father is an auto mechanic, and his mother works part time at Torbert's Stores. Young Miller also is interested in sports. He is president of the Luther League, and has the Chevalier degree in De Molay. His father, Manuel Miller, is a merchant in Kalispell, and his mother, Ethel, is a housewife. He has a brother, Keith, and a sister, Sandra.

Richard Nelson was selected by the magazine and the United States Office of Education, which cosponsors the “Teacher of the Year” project. He was lauded for “bringing the world of science to the attention of an agricultural and lumbering community—contributing to an eventual understanding of the atomic age by the layman.” His selection as the fifth “McCall's Teacher of the Year,” named in the magazine's annual project honoring the teaching profession, is particularly timely. It comes at a moment when distinguished American leaders in government and industry are calling for more qualified science teachers to insure our continued national safety and industrial strength.

In selecting Mr. Nelson, the editors of McCall's pay tribute to the entire science teaching profession and its contribution to our national welfare and growth. The magazine also named seven other instructors to the “McCall's Honor Roll of Teachers” for 1956.

“McCall's Teacher of the Year” and those named to the “McCall's Honor Roll

of Teachers" were selected after months of study and observation by representatives of the Office of Education and McCall's. All nominations were made by State departments of education at the invitation of Dr. Samuel M. Brownell, United States Commissioner of Education, and Dr. Edgar Fuller, executive secretary of the Council of Chief State School Officers. Nominees were observed at work in their classrooms; and parents, civic leaders, and educators were interviewed on the effect of the teacher's work on their respective communities.

Richard Nelson was appraised by the 1956 teacher of the year judges as an inspiring teacher of science, concerned with the development of the whole child. As skiing instructor at the school, Mr. Nelson acquired the nickname "Knut," and Knute he has become to the Kalispell community. His students like him and have confidence in him. They find his classroom technique preserves discipline with humor, and invites informal but controlled discussion. He is characterized as a forthright teacher who tempers a bawling out with a word of encouragement after class.

Mr. Nelson, a bachelor of 30, believes that his responsibilities toward his students are governed by his responsibilities toward society as a whole. It is his conviction that to teach is to make a subject current experience, one that a teen-ager can become intensely interested in and develop an affection for. "The primary objective of a high-school physics course," asserts Mr. Nelson, "is to lay the foundation for the eventual understanding of the atomic era by the layman."

Mr. Nelson entered the University of Denver in 1945, intending to study drama, but was guided to science by his father, Dr. Alfred C. Nelson, then a professor of chemical engineering, and now dean of Community College, and director of the summer session at the university. No textbook theorist, Richard Nelson works in the summers for the Bureau of Reclamation, as an instrumentman for a civil engineer, and in construction work at an aluminum plant near Kalispell. His personal ambition is to continue teaching science on the high-school level. His ambition for his students is to see them enter scientific research and production work in industry and medicine, and to become teachers of science.

McCall's June issue also contains the honor roll of teachers who have earned special mention for their significant contributions to the improvement of national teaching standards. Named to the McCall's 1956 honor roll of teachers are:

Mr. Russell Bay, Corvallis School, Corvallis, Mont. His eighth-grade pupils learn the satisfactions of citizenship through community participation: Taking the village census and public-opinion polls, constructing a model house, writing editorials for their class newspaper, and working on a 160-acre conservation project.

Miss Anne Gibbs, Churchill County High School, Fallon, Nev. Her warm and sound relationships with the stu-

dents in her English classes have encouraged a number of them to become teachers. School-community understanding has been fostered through her class news items.

Mrs. Maude A. Hudson, Greenwood High School, Greenwood, S. C. An energetic, resourceful teacher, mother, citizen, and church leader, her distributive-education classes aim toward adjusting the future of her students, most of whom will not attend college.

Miss Frances L. Johnson, Windom High School, Windom, Minn. Her enthusiasm enhances her students' respect for English as a living language. She works consistently for professional improvement and teacher welfare, and she sets high standards of scholarship for her pupils.

Mrs. Kathryn Stagge Marr, Goshen Elementary School, Goshen, Ohio. She brings to young elementary teachers a helpful variety of lively, challenging practices of good teaching. Her immediate rewards are the affection and respect of pupils, parents, and fellow teachers.

Miss Velora Reed, Mesilla School, Las Cruces, N. Mex. Her pre-first-grade boys and girls, who come from Spanish-speaking homes, sense her unusual sympathy, understanding, patience, and affection as they learn their first English words along with the three R's.

Mr. John P. Shaw, Concord Senior High School, Concord, N. H. His dedication to the total welfare of high-school youth has expanded his role of outstanding social-studies teacher and debate coach to that of guidance counselor. He promoted a statewide social-studies program.

Mr. President, on February 4 I received a letter from my old friend, Russell Bay, of Corvallis, Mont., who is one of those included in McCall's 1956 honor roll of teachers. In the letter, Mr. Bay called to my attention the outstanding work done by these eighth grade students. He also sent to me a copy of the Green Hornet's Buzz, the publication of the Corvallis Junior High School. That publication includes an editorial which is of particular interest. I ask unanimous consent to have incorporated at this point in the body of the RECORD, as a part of my remarks, the editorial and also my letter in reply to that of Russell Bay.

Mr. President, Montana's distinguished senior Senator [Mr. MURRAY], the distinguished Congressman from Montana [Mr. METCALF] and I have had the pleasure of meeting "Knut" Nelson, Gerald Miller, and Everett O'Hare at a luncheon. That we are proud of them, of Russell Bay, and of the Flathead County High School and the Corvallis Junior High School goes without saying. We of Montana appreciate the recognition they and their schools have received and we are indebted to McCall's for their selection. It was well deserved.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

#### EDITORIAL

For many years our National Government has been spending billions of dollars on flood-control dams, dikes, and river improve-

ments to protect the unfortunate valley dwellers from destructive floods. These costly improvements, however, are possibly hindering the solution of this national problem.

In the first place, what caused these floods? The original cause was started with the overgrazing and plowing of land that should never have been treated in this manner. Therefore, the land was robbed of its water-holding capacity.

The project of building dams on rivers to help control overflowing water is justified to a certain extent, but, if we would stop and think, we would find the trouble begins at the watersheds, not in someone's flooded home. Then, the question is asked, "If the watersheds are the beginning of the trouble, why are they not considered as a part of the problem?"

Let us consider a typical watershed at the head of a river system. The farmer who owns this land uses it to his own selfish advantage only, seldom thinking of his fellow men, particularly those thousands of miles below him being flooded every spring. What can be done about someone as selfish as he? There is only one apparent solution and that is to try to educate him, so that he will know the wrong he is doing.

The solution to this problem then, lies in educating the general public. To put this thought into use, the purpose of our Terra Verde project actually is to prevent floods, erosion, and damage to our national resources. We are practicing conservation and attempting to show the public what can be saved if we conserve our resources. If all of us would take into consideration our neighbors and the future of America, we would have to worry little about what happens tomorrow.

To summarize, we feel that more of the billions of dollars spent on flood control should be given to the improvement of our watersheds, and to conservation education.

FEBRUARY 9, 1956.

Mr. RUSSELL BAY,  
Corvallis Public Schools,  
District No. 1, Corvallis, Mont.

DEAR RUSSELL: This will acknowledge receipt of your good letter of February 4 and also the enclosed copy of the Green Hornet's Buzz.

I have looked over the enclosure with a great deal of interest, and I wish that you would congratulate the students who were responsible for the articles contained therein for doing an outstanding job. They are to be complimented highly. The editorial is not only interesting, but very sound and, I might say, literally excellent. I certainly shall make use of the ideas advanced by the students of the eighth grade in my consideration of matters affecting our water resources, because they have come to grips with the real heart of the problem. I am also impressed, Russell, with the fact that they are showing themselves to be good citizens and are taking an active interest in affairs which not only confront them in the Bitterroot Valley, but which could confront people in many other parts of the United States as well. It is my hope that my fellow Montanans in the eighth grade and their good teacher will put me on their mailing list for the Green Hornet's Buzz so that I may have the benefit of the views expressed therein and so that I can, wherever possible, put the recommendations made to good use back here.

In closing, Russell, I want to thank you for your courtesy in sending me a copy of the paper. I wish you would do me a favor and extend my personal congratulations and best wishes to all the members of the eighth grade. Will you assure them of my deep appreciation for the fine work they are doing and tell them that if at any time I can be

of assistance to them, they need only to call on me?

With best personal wishes, I am  
Sincerely yours,

MIKE MANSFIELD,  
United States Senator.

#### BRIG. GEN. JAMES O. GUTHRIE HONORED ON ARMED FORCES DAY

Mr. MANSFIELD. Mr. President, on Armed Forces Day, May 19, the Chamber of Commerce of Great Falls, Mont., honored one of the outstanding men in the service of the United States Air Force, Brig. Gen. James O. Guthrie. General Guthrie is the commander of the 29th Air Division, with headquarters at Malmstrom Air Force Base, at Great Falls.

Malmstrom is one of the most vital of our Strategic Air Command bases on the continent, because of its proximity to our northern frontier. General Guthrie has done an outstanding job as commander of this SAC Division during his years at the base. A great deal of the credit for the capabilities of this SAC base is due to the untiring efforts of General Guthrie.

It is unfortunate, indeed, that General Guthrie soon will be leaving Malmstrom Air Base, to assume command of an air-defense division in Japan. Montana's loss will be Japan's gain.

At the luncheon in his honor, General Guthrie made a number of remarks relative to the defense of the Nation. I ask unanimous consent that an article from the Great Falls Tribune containing excerpts from his speech be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### AIR FORCE MAJOR DETERRENT TO WAR, GENERAL GUTHRIE SAYS

"The United States Air Force is the major deterrent to war today," Brig. Gen. James O. Guthrie, commander of the 29th Air Division (Defense), said at an Armed Forces Day luncheon at Hotel Rainbow Saturday.

The luncheon was given by the Great Falls Chamber of Commerce as part of the Armed Forces Day observance. It also was a tribute to Guthrie himself, who will leave soon to assume command of an air defense division in Japan.

Guthrie said that while the Air Force is just one part of the Nation's defense team, which includes the Army, Navy, Marine Corps, Coast Guard, Air National Guard, National Guard ground forces, and the various reserves, he felt that because of Russia's ability to develop atomic and hydrogen weapons, the Strategic Air Command, of which his division is a part, is spearheading the defense job.

"Unless we keep the Strategic Air Command extremely alert, well trained, and up to the latest standards by research and development, we are really asking for it."

Guthrie said the United States today has the deterrent force to prevent war, and the strength to repel any attempted aerial invasion. He said airbases such as Malmstrom here, and the new bases under construction at Glasgow, Minot, and Grand Forks will provide the muscles to implement the radar warning systems stretched across Canada.

"Our biggest job today," Guthrie added, "is to make the Armed Forces attractive enough to keep trained men in the services. The present turnover in manpower is fantastically expensive. We feel that we can

show Congress the desirability of increasing the pay of airmen and officers."

Guthrie said the great technological advances made since the end of World War II have completely changed the manpower requirements of the services. The new weapons, he said, will make it possible for fewer men in uniform, but men with a much higher degree of skill in their various specialties. For this reason, he said, it is desirable to retain the services of the trained men.

F. M. Ganey, chairman of the chamber's military affairs committee, was master of ceremonies. Forrest Hedger, chamber president, presented Guthrie a painting of a Montana wildlife scene done by Les Peters, Great Falls artist.

Top officers of the various Reserve units here, Malmstrom Air Force Base, and the Montana Air National Guard were introduced to those attending the luncheon.

#### FAILURE TO FILE INCOME TAX RETURNS

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared concerning the failure on the part of self-employed members of certain occupations to file Federal income tax returns.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

##### STATEMENT BY SENATOR WILLIAMS

In June 1955 the Treasury Department announced the launching of a sample check throughout the country to determine to what extent the self-employed members of 84 different occupations had been failing to file their Federal income tax returns.

On August 7, 1955, this drive was accelerated when it was discovered that Mr. Lemuel B. Schofield, a prominent attorney in Philadelphia, had for the preceding 8 years failed to file his income tax returns and that during this same period his total gross income was \$1,352,950.65, upon which the normal tax would have been \$435,225.27. To make this situation more embarrassing to the Treasury Department, they had to admit that this case was only discovered after the man had died and during the attempt to settle his estate.

Then on January 5, 1956, a Federal grand jury in Philadelphia, Pa., which had been investigating charges of irregularities in the Philadelphia regional office, issued a scorching report, in which they said that while the statute of limitations prevented them from returning any indictments their investigation had disclosed that there was evidence of "criminal misconduct within the Internal Revenue Service."

A couple of weeks later this sensational charge by the grand jury was followed by an announcement by the Philadelphia office of the Bureau of Internal Revenue that another Philadelphia lawyer, Clarence J. Corcoran, had likewise failed to file his tax returns during the preceding years.

With this second disclosure the Treasury Department announced that they were stepping up their investigations in this direction to determine why these nontaxpayers had not been discovered more promptly.

For the preceding 4 years I had repeatedly been complaining of the laxity of conditions in the Philadelphia regional office and had requested the appropriate committee of Congress to investigate that area.

Upon the release of this grand jury report in January, which more than confirmed my previous suspicions, I again called upon the Treasury Department to identify the public officials referred to in the grand jury report as having been guilty of "criminal miscon-

duct" in carrying out the duties of their office.

Nearly 5 months have elapsed, and still the Treasury Department maintains a wall of silence.

On January 20, 1956, Mr. Chamberlin, the new director of the Philadelphia office, shocked the whole area with the sensational charge that their agents had discovered that nine more lawyers in the Philadelphia-Camden-Wilmington area had for several years been failing to file any tax returns.

Mr. Chamberlin said that 3 of these were in Philadelphia, 2 in Camden, N. J., and 4 in Wilmington, Del., with 3 of this latter number from Wilmington proper and 1 from the Wilmington area.

This spectacular and sensational charge, without identification of the individuals involved, had the inevitable effect of placing every attorney in that area under suspicion. This was a wholesale indictment by a top Government official of an entire profession without any evidence being submitted to support his charges, and it was properly resented as such by the membership of the bar associations and the other citizens in those States.

The Senator from Pennsylvania, Mr. MARTIN, and my colleague, Senator FREAR, joined me in a letter to the Commissioner of Internal Revenue protesting against this blanket indictment, and we called upon him to take immediate steps either to identify the individuals by properly presenting the charges against them in the courts or, if they did not have sufficient evidence to back up Mr. Chamberlin's allegations, to retract publicly the charge. Our letter of February 16, 1956, follows:

##### UNITED STATES SENATE,

Washington, D. C., February 16, 1956.

HON. RUSSELL C. HARRINGTON,  
Commissioner of Internal Revenue,  
Department of the Treasury,  
Washington, D. C.

DEAR MR. HARRINGTON: Your letter of February 13, 1956, outlining your reasons for your refusal to release the names of the nine lawyers in the Philadelphia-Wilmington area who on January 20, 1956, were charged by your Regional Commissioner with failure to file their tax returns or to pay their taxes, is acknowledged.

We commend you for your effort to make sure of your case before releasing the name of any taxpayer, but it is inconceivable that your Regional Commissioner did not think of this and take these precautions before issuing his statement of January 20.

Having proceeded to the point of definitely charging that there are 3 attorneys in Philadelphia, 4 in Wilmington, and 2 in Camden who have not filed their returns, you now have a responsibility to identify these individuals and thereby remove what presently constitutes a blanket indictment against all members of the legal profession or, otherwise, to withdraw the charge.

It is an intolerable situation as it now stands. Not only is this embarrassing to all members of the legal profession, but every citizen in that area utilizing the services of an attorney is in the position of having had his confidence shaken in his own attorney by wondering, "Is he one of them?"

It is most unfortunate that your Department released this statement in the first place without having been ready to support the charges, but we cannot accept your reasons for an indefinite delay in clearing up this situation after having proceeded this far.

Once again we are asking that the Treasury Department either identify these men by filing charges or publicly retract the statement of January 20, 1956.

Yours sincerely,

EDWARD MARTIN.  
JOHN J. WILLIAMS.  
J. ALLEN FREAR, JR.

On April 11, 1956, when Commissioner Harrington was visiting in Philadelphia, he made the statement to the press that criminal prosecution would be instituted against nine lawyers in the Philadelphia area for failure to file their income-tax returns.

But while he renewed these charges, he still failed to identify the individuals to whom he referred. The blanket indictment was reemphasized but left unsupported.

I am not in a position to confirm or deny Mr. Chamberlin's charge of January 20, 1956, that there were nine more lawyers in that area who had not been filing their tax returns, but I am in a position here today to name one of the attorneys referred to in Mr. Chamberlin's statement of January 20. Mr. Louis L. Redding, an attorney in Wilmington, Del., for several years has not been filing any Federal income-tax returns. Complete reports of his case were forwarded to the Washington office of the Treasury Department and the Department of Justice months ago.

The specific charge is that Mr. Redding did not file any tax returns for the years 1953 and 1954. After the Schofield case began making headlines, he did in November 1955 rush into the Bureau's office requesting an opportunity to file retroactively belated returns for the years missed.

Mr. Redding, as an attorney, claims to be an authority on the American Constitution, and as a student of the Constitution he certainly cannot claim ignorance of the 16th amendment, which provides that every American citizen shall be subject to filing and paying a Federal tax upon his income at rates approved by the Congress.

Before making this statement, I conferred with the Treasury Department in Washington, and, while they were not permitted to give any details as to the individual case, they did confirm the accuracy of the allegation that Mr. Redding had failed to file tax returns as outlined above, and that he was 1 of the 9 attorneys referred to by Mr. Chamberlin.

With the identification of Mr. Redding, the Treasury Department's number is reduced to 8; the Government now more than ever has a definite responsibility to identify these other 8 men by filing charges or explain how the erroneous charges were released.

The statement of January 20 never should have been made until the Treasury Department was ready to produce the proof, and I hope that this type of incident will never happen again.

#### THE PEOPLE—AMERICA'S STRENGTH

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD excerpts from the keynote address prepared by me for the annual meeting of the National Tuberculosis Association in New York City on May 21, 1956. Because I had to remain in Washington to handle the Crooked River irrigation project bill—S. 3101—on the floor of the Senate that day, the address was given in my absence by my wife, Mrs. Maurine B. Neuberger.

In the keynote address for the National Tuberculosis Association, which has performed so outstandingly in working to eradicate and minimize this dreaded scourge of mankind, both Mrs. Neuberger and I have tried to emphasize the supreme irony of the fact that, while this country can spend billions and billions of dollars in preparation for war, it invests only a token sum in research looking toward the elimination of such cruel diseases as cancer, muscular dystrophy, and so forth.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

#### THE PEOPLE—AMERICA'S STRENGTH

(Excerpts from address by keynote speaker, Senator RICHARD L. NEUBERGER, of Oregon, at annual meeting of the National Tuberculosis Association, at Hotel Statler in New York City, N. Y., May 21, 1956)

If one man is wedged in a cave, we will spend tens of thousands of dollars to get him out—as we should. But when it comes to medical research and study, which might save innumerable lives and make other lives both longer and happier, we often become frugal and parsimonious. I believe that a nation which can invest \$300 million in a battleship, which then is anchored amidst a mothball fleet, should appropriate every possible cent needed to combat the diseases plaguing mankind.

How can we even remotely tolerate a dollar mentality when human life is at stake? In the end, all we have is the land and the people who inhabit the land. If we waste either human resources or natural resources, we are playing ducks and drakes with the future of this great country. On the North American Continent, we have wasted both, frequently in shocking degree.

Money represents material wealth; mortal disease means suffering, agony, death, and human tears. If, by spending money we can hasten the conquest of any grave malady or disease, I favor spending that sum of money which is necessary. Let us look at the budget of human life first and the financial budget second. You people have demonstrated how effort, energy, and investment can reduce so greatly the wreckage, tragedy, and mortality due to tuberculosis. Your brave example should be followed in such dark and grim realms as those of cancer, kidney diseases, multiple sclerosis, muscular dystrophy, and many other agonizing diseases where we still are far from victory.

In America we still think too much of dollars and too little of suffering. The Man of the Year for 1955 was the head of the first corporation in American history ever to make a profit of \$1 billion. Undoubtedly this was a singular achievement and one worthy of note. Yet, in my opinion, the Man of the Year should have been the physician in Pittsburgh who developed the first serum to immunize little children against the dread ravages of infantile paralysis. I dare say that, in history, the discovery of the Salk vaccine will seem more important than collecting a profit of \$1 billion—nay, even of \$2 billion.

Speaking of billions, that fine Member of the Senate, Mrs. MARGARET CHASE SMITH of Maine, has proposed a medical research and education program of \$1 billion. I indorse her proposal. If \$1 billion should prove insufficient, why not twice that sum? For example, as long as the cause and cure of cancer elude us, what possible argument can be made for thriftiness where cancer investigation is concerned?

One killer, tuberculosis, has been cornered. This does not mean the killer can be left unguarded. The obstacles to its former rampant attacks must be kept carefully tended. But the chaining of tuberculosis has shown us that other diseases, too, eventually can be shackled if sufficient energy, resourcefulness and funds are devoted to the goal. And I am against economy when it comes to protecting people.

When I speak of resources, I mean both human and natural resources. After all, only 150 years have passed since Lewis and Clark carried our flag across the continent. Yet, in that short period, as the history of nations is measured, we have destroyed much of our heritage in timber, soil, wildlife, and water. Nor have we learned the full lesson of this destruction. The bill to help end pollution

of our rivers still lies in committee, awaiting passage by Congress. The administration is encouraging oil and gas leasing on our comparatively few wildlife refuges, despite the fact that the ducks and geese soaring along the flyways of the continent could ultimately be exterminated, as was the hapless passenger pigeon.

I often hear that our resources must pass from public protection to private exploitation because of our free-enterprise system. I refuse to believe that free enterprise is not consistent with national safeguarding of upland grandeur, mountain majesty, and the thrilling pageant of wildlife, birds, and fisheries. Theodore Roosevelt, who led the movement to set aside vast outdoor reserves where men and women might be stimulated and inspired—yes, and regain their health, too—was certainly dedicated to the fundamental tenets of economic freedom as well as personal liberty.

In the Senate, I have suggested a study of Canada's famous family allowances program for children, whereby each mother with a child under 16 receives a certain sum monthly to devote to the health and welfare of the child. I have been informed that this is socialistic. Yet, as I prepare these words, I read in the May 4 issue of U. S. News & World Report that American financiers are investing frantically in Canadian factories, forests, and mines. Our investors, for example, already own over 25 percent of all the industries of Canada. Evidently a program of assistance for Canadian mothers and their boys and girls—a program which has contributed to health, nutrition, and general living standards—does not seem socialistic to the leaders of capitalism in our own land.

Mr. Justice Brandeis once said: "If we would guide by the light of reason, we must let our minds be bold." This surely applies in the field of health—a field so closely related to our resources, both human and natural. We are a country which spends \$10 billion annually for liquor and half that sum for tobacco. This must mean that we are far from destitute when it comes to financing TB sanatoria, cancer clinics, children's allowances and research into nearly all other perplexing diseases. Family allowances, for example, would cost about 40 percent as much as Americans dedicate each year to highballs, cocktails, and similar consumption.

The people are America's strength. They need adequate medical care, adequate education, good schools, an opportunity to develop their talents in college, an assurance of security in old age. When he was Governor of California, Earl Warren once replied to some critics of the migration threatening constantly to the great State. He said that people were California's No. 1 resource. Who can challenge this statement?

The time to grapple with disease, poverty and ignorance in America is when we have only 165 million persons on this continent which is still rich and wealthy, despite our carelessness of the past. When we have the 400 million population of Europe, it will be too late, or, at best, the task will be infinitely harder. This challenge confronts our own generation, as directly and immediately as it has faced any era in our eventful history.

I believe there is a 5-point program which could contribute materially to the betterment of the human resources on which our Nation depends.

1. There should be at least \$1 billion spent by the Government in the general field of health and medical research and education.
2. Private donations in the realm of health, such as those which make possible the program of tuberculosis control, should be accelerated to keep pace with our expanding economy and our increasing population.
3. Social-welfare measures such as family allowances, reduced retirement ages under

social security and new disability payments should be considered.

4. Federal aid to both lower and higher education must be increased, because the Federal Government has the financial resources for such undertakings.

5. Our natural resources must be protected from exploitation, so that the basic heritage of Americans will not be destroyed within 1 or 2 generations.

These proposals are not original but, I believe, they are positive and look ahead to the future. Perhaps they are not what one might call economical. Yet I remember from my readings of history that there were people who criticized the \$2,500 expenditure for the Lewis and Clark Expedition. Some of these same people, after the return of Lewis and Clark from the vast and marvelous West, prophesied that nobody ever would travel through that region again. They said the whole project had been a waste and folly.

In the America of today there is no room or niche for such counsels of gloom and despair. "If we would guide by the light of reason, we must let our minds be bold."

#### ORDER OF BUSINESS

The PRESIDENT pro tempore. Is there further morning business? If not the morning business is closed, and the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 3760) to provide for a more effective control of narcotic drugs, and for other related purposes.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### FEDERAL AID HIGHWAY ACT OF 1956

Mr. CHAVEZ. Mr. President, by prior arrangement the Senate will today take up the road bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. JOHNSON of Texas. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the Consideration of Calendar No. 2077, House bill 10660.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 10660) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to amend the Internal Revenue Code of 1954 to provide additional revenue from the taxes on motor fuel, tires, and trucks and buses; and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment, and

subsequently reported from the Committee on Finance with additional amendments.

Mr. CHAVEZ. Mr. President, the pending bill will be handled on the floor of the Senate by the chairman of the Subcommittee on Roads, the Senator from Tennessee [Mr. GORE]. However, before the Senate begins consideration of the bill, I should like to submit on behalf of myself, the Senator from Massachusetts [Mr. KENNEDY], the Senator from California [Mr. KUCHEL], and the Senator from Oregon [Mr. NEUBERGER] an amendment to it. I ask to have the amendment read and made the pending question before the Senate.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. It is proposed on page 49, after line 24, to insert the following:

SEC. 117. Prevailing rate of wage: The Secretary of Commerce shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the interstate system authorized under section 102 of this title shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the act of August 30, 1935, known as the Davis-Bacon Act (40 U. S. C., sec. 276-a).

Remember following sections.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ] to the committee amendment in the nature of a substitute for title I of the bill.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from California will state it.

Mr. KUCHEL. Do I understand correctly that the question now is on the amendment offered by the distinguished Senator from New Mexico [Mr. CHAVEZ] to the bill as reported by the Committee on Public Works?

The PRESIDENT pro tempore. The Senator from New Mexico [Mr. CHAVEZ] has offered an amendment to the committee amendment, which is in the nature of a substitute for title I of the bill. That is the question now before the Senate.

The question is on agreeing to the amendment offered by the Senator from New Mexico to the committee amendment.

Mr. MARTIN of Pennsylvania. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Pennsylvania will state it.

Mr. MARTIN of Pennsylvania. As I understand, the committee substituted for the House bill the bill the Senate passed last year, with an amendment relating to the Interstate Highway System. Is that correct?

The PRESIDENT pro tempore. The Senator from New Mexico [Mr. CHAVEZ] has offered an amendment to title I of the bill as reported to the Senate.

Mr. MARTIN of Pennsylvania. Is the amendment of the Senator from New Mexico, then, to be considered at this time?

The PRESIDENT pro tempore. It is in order at this time.

Mr. BUSH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BUSH. I wish to make sure that I understand the parliamentary situation. As I understand, the pending question is the amendment offered by the Senator from New Mexico [Mr. CHAVEZ], to inject into the committee amendment the Davis-Bacon provision, as modified. Is that correct?

The PRESIDENT pro tempore. The amendment is to insert the language contained in the amendment, whatever the language is. That is the question now before the Senate.

Mr. BUSH. Mr. President, will the Senator from New Mexico yield for a question, to clarify the situation?

Mr. CHAVEZ. I yield.

Mr. BUSH. Is the amendment offered by the Senator from New Mexico identical with the provision of the House bill respecting wages?

Mr. CHAVEZ. I would answer "Yes" to that question.

Mr. BUSH. Is it identical with the provision of the House bill in that respect?

Mr. CHAVEZ. In simple language, it provides for the Davis-Bacon provision.

Mr. BUSH. But modified, as I understand—and this is what I am trying to make clear—as in the House version. Is that correct?

Mr. CHAVEZ. That is correct.

Mr. BUSH. As it applies to wage rates only. Is that correct?

Mr. CHAVEZ. That is correct. In order to have the matter clear in the mind of the Senator from Connecticut, the amendment applies only to the Interstate System.

Mr. BUSH. I understand that, but, Mr. President—

Mr. CAPEHART. Mr. President—

The PRESIDENT pro tempore. The Senator from New Mexico has the floor. Does he yield; and, if so, to whom does he yield?

Mr. CHAVEZ. I yield to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I send an amendment to the desk. It would do exactly what the able Senator from New Mexico has in mind. Would he object to having me join him in his amendment?

Mr. CHAVEZ. I want every Senator who cares to do so to join me in the amendment.

Mr. CAPEHART. Will the Senator ask that my name be placed on his amendment as a cosponsor?

Mr. CHAVEZ. Certainly. Any Senator who wishes to join us is welcome to do so, and he is using good common-sense if he does join us.

Mr. CAPEHART. I have just sent to the desk an amendment which would do what the Senator has in mind.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. I send to the desk an amendment identical with the one proposed by the Senator from New Mexico. If agreeable to him, I should like to join him in sponsoring his amendment.

Mr. CHAVEZ. I am very happy to have the Senator from New York join us.  
Mr. COTTON. Mr. President—

Mr. CHAVEZ. And also the Senator from New Hampshire.

Mr. COTTON. I send an amendment to the desk and ask that it lie on the table and be printed.

The PRESIDENT pro tempore. Does the Senator from New Mexico yield for that purpose?

Mr. CHAVEZ. I do.

The PRESIDENT pro tempore. Without objection, the amendment will be received and printed, and will lie on the table.

Mr. BYRD. Mr. President, if we are to have a discussion on the pending amendment, I should like to ask that we have a live quorum present. This is a very important amendment.

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Virginia for that purpose?

Mr. BYRD. It is a matter of very great importance. I should like to ask for a live quorum.

The PRESIDENT pro tempore. Does the Senator from New Mexico yield for that purpose?

Mr. CHAVEZ. I yield for that purpose.

The PRESIDENT pro tempore. The Senator from Virginia suggests the absence of a quorum. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Cotton	Kuchel
Barrett	Daniel	Lehman
Beall	Dirksen	Mansfield
Bible	Douglas	Martin, Pa.
Brickey	Frear	Monroney
Bush	George	Neuberger
Butler	Gore	Payne
Byrd	Green	Saltonstall
Capehart	Hill	Smith, Me.
Carlson	Johnson, Tex.	Watkins
Case, S. Dak.	Kerr	Williams
Chavez	Knowland	

Mr. SMATHERS. I announce that the Senator from Kentucky [Mr. CLEMENTS], the Senator from Mississippi, [Mr. EASTLAND], the Senator from Missouri [Mr. HENNING], the Senator from Florida [Mr. HOLLAND], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from West Virginia [Mr. NEELY] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Nebraska [Mr. HRUSKA], the Senator from Kansas [Mr. SCHOEPP], the Senator from Minnesota [Mr. THYE], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

The PRESIDENT pro tempore. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ALLOTT, Mr. BENDER, Mr. BENNETT, Mr. BRIDGES, Mr. CASE of New Jersey, Mr. CURTIS, Mr. DUFF, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ERVIN, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. HAYDEN, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. LAIRD, Mr. LANGER, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MARTIN of Iowa, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. O'MAHONEY, Mr. PASATORE, Mr. POTTER, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCOTT, Mr. SMATHERS, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. STENNIS, Mr. WELKER, Mr. WOFFORD, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

The Senator from New Mexico is recognized.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CHAVEZ. As I understand, before the Senate proceeds to a discussion of the road bill itself, the Senate committee amendment will have to be perfected by adopting the amendment, which I and other Senators have offered.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from New Mexico.

Mr. CHAVEZ. I am ready for a vote on the amendment.

Mr. BYRD. Mr. President, I think there should be a full discussion and explanation of the amendment.

The PRESIDENT pro tempore. The question is debatable.

Mr. BYRD. Does the Senator from New Mexico desire to explain the amendment? I understood the Senator to say he was going to explain the bill—that is, title I—and that after that he would discuss the amendment.

Mr. CHAVEZ. Under the parliamentary situation, I believe the pending amendment will have to be adopted before we can proceed with the bill.

Mr. BYRD. That is something new. I make a parliamentary inquiry as to whether that is correct. Is it necessary that the pending amendment be adopted before the Senate can consider title I of the bill?

The PRESIDENT pro tempore. Speeches can be made on any part of the bill or on the entire bill.

Mr. BYRD. I understand that; but the Senator from New Mexico said it would not be possible for him to explain the bill until the Senate adopted the amendment he has offered to title I. As a parliamentary inquiry, I ask whether that is correct.

The PRESIDENT pro tempore. Let the Chair state to the Senator from Virginia that that is hardly a parliamentary inquiry.

The question is on agreeing to the amendment of the Senator from New Mexico. Any Senator who has the floor can speak on any part of the bill he wishes to discuss.

Mr. CHAVEZ. Very well, Mr. President.

Mr. KUCHEL. Mr. President—  
The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from California?

Mr. CHAVEZ. I yield for a question.  
Mr. KUCHEL. Let me say to my friend, the Senator from New Mexico, that I have some comments to make in favor of the amendment the Senator from New Mexico has offered; but I prefer to wait, and to take the floor in my own right.

Mr. CHAVEZ. Very well.  
Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.  
Mr. MARTIN of Pennsylvania. Mr. President, I hope the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished Senator from Tennessee [Mr. GORE] will explain title I to the Senate.

Mr. GORE. We plan to do so.  
Mr. MARTIN of Pennsylvania. In that way I think we shall proceed much more intelligently, and shall save time in the long run, because this subject is probably the most important one, aside from war, that the Congress has considered in all our history, and it is a complicated one. Both the distinguished Senator from New Mexico and the distinguished Senator from Tennessee are very familiar with the entire bill. So if they will make an explanation of the bill, I think we shall save time in the long run.

Mr. CHAVEZ. Mr. President, through the kindness of the people from New Mexico and under the rules of the Senate, I happen to be chairman of the Committee on Public Works. As in the case of other standing committees, the Committee on Public Works has subcommittees. In this instance it happens that our committee has a Subcommittee on Roads, headed by a very able chairman, namely, the distinguished Senator from Tennessee [Mr. GORE], whom I asked to be the floor manager of this bill.

Previously the bill dealt only with roads. But when the bill went to the House, the House added title II, which has to do only with the financing of roads, whereas in our committee we discussed only how to build roads and how to authorize their construction.

I think the Senator from Tennessee and the other members of the subcommittee are bipartisan. I am proud of the subcommittee because it is a road construction subcommittee, not a political committee.

Rivers and harbors improvements, navigation facilities, roads, and public buildings constructed throughout the country have nothing to do with politics. A good road is essential in Louisiana, which is Democratic; and a good road is also essential in North Dakota, which is Republican. It makes no difference to a poor farmer who has to take his products to the market whether the road he uses is constructed by Democrats or Republicans. He still would like to be able to travel without breaking the springs of his old jalopy.

Mr. President, the Committee on Public Works has approved title I of the bill. Let us bear that in mind, because it is

what we must deal with in this instance. Title I is the road title. In approving that title of House bill 10660, the committee voted to delete the language of the House version of the bill, and to substitute therefor essentially the language of Senate bill 1048, passed by the Senate in the first session of the 84th Congress, approximately a year ago.

Mr. LANGER. Mr. President, will the Senator from New Mexico yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. Is that the Gore bill?

Mr. CHAVEZ. Yes; it is the Gore bill.

Last year the committee held extensive hearings on Senate bill 1048. We then held numerous executive sessions, and reported to the Senate a committee bill which included the most desirable features of the several proposals before the committee.

On May 25, 1955, the Senate passed Senate bill 1048 substantially as reported by the committee, after defeating efforts materially to amend the bill. The Senate bill was designed to provide a balanced and a greatly accelerated program for the construction of all the Federal-aid highway systems which are so urgently needed by the country.

We thought the Senate bill of last year was a good bill. It would involve the Nation in one of the largest construction programs ever authorized by the Congress, except those for defense purposes. The bill did not provide a method of financing the highway program. That feature was considered by us to be within the function of other congressional committees. In other words, Mr. President, we did not feel that the Committee on Public Works, in reporting a bill authorizing the construction of roads, should deal with the financing of the roads. Roads of this kind have been financed by the Government since 1916, and not once has the congressional committee handling a road-authorization bill dealt with the question of its financing.

Title I of House bill 10660, which now is before the Senate and which authorizes a highway construction program, was considered and reported to the Senate by the Committee on Public Works.

Title II of the bill contains tax-revenue provisions for financing the program, and was considered by the Senate Committee on Finance, of which the able Senator from Virginia [Mr. BYRD] is chairman.

Only one material change has been made in the bill since it was passed last year by the Senate. The committee recommends that the program for the National System of Interstate Highways be extended from a period of 5 years to a period of 13 years, the same as is provided in the House bill. This proposed expansion of the Interstate System will, insofar as the estimated costs are concerned, permit the proposed financing to match the authorizations, and will keep the financing and construction programs in balance.

In reporting the bill to the Senate, the committee has considered that a balanced program for all the highway systems within the framework of the existing Federal-aid highway laws is a sound

approach to the matter, and will contain adequate safeguards of the taxpayers' money.

Title I of the bill, as amended by the committee, places emphasis on the early completion of the Interstate System. It also includes increased authorization for the primary and secondary road systems for a period of 5 years, whereas the House voted to increase the authorization only for a period of 3 years.

These systems are vital to the general economy and welfare of the Nation, and cover large areas in all sections remote from the Interstate System—in other words, the country roads, the farm-to-market roads, which are just as essential as the Interstate System, or just as essential as a road which will permit a person to drive from Philadelphia to Los Angeles. Their development should continue at an expanded rate, in order to keep pace with the growth of the country, the increased highway needs, and the acceleration provided for the Interstate System.

Title I provides authorization for the construction of the 40,000 miles of Interstate System over a period of 13 years, to a standard of construction, and with controlled access, believed adequate to meet the traffic needs for the next 20 to 30 years.

All the mileage in this system has now been designated, and the Senate committee amendment provides an increase in mileage to 42,500. In other words, it adds 2,500 miles to cover needed extensions and connections.

The committee gave careful consideration to the question of apportionment to the various States of the funds for the Interstate System. It must be remembered that economically, populationwise, and in other respects, every State is different. New Jersey has a large population. New Mexico and North Dakota have large areas, the major portions of which belong to the Federal Government. So we must meet problems of different types.

In its deliberations the committee concluded that a definite formula governing such apportionment, based upon reasonable estimates, of course, should be written into the law.

Mr. CAPEHART. Mr. President, will the Senator yield at that point?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. Is the formula which has been devised a formula based upon consideration of the number of miles in each State and the number of lanes times the actual cost? Is the money apportioned on that basis?

Mr. CHAVEZ. I shall go into detail on that subject later. I will say to the Senator from Indiana that the formula adopted many years ago, at the beginning of the Federal-aid highway system, was based one-third on population, one-third on total area, and one-third on postal miles. The only authority under which we appropriate money for roads which have been authorized is a provision in the Constitution to the effect that Congress shall have power to establish post offices and post roads.

Mr. CAPEHART. The present system is based upon the Federal Govern-

ment paying 50 percent and the States 50 percent.

Mr. CHAVEZ. That is correct. If the Senator will bear with me for a moment, I shall explain the formula.

Mr. CAPEHART. I have an amendment to change the formula. I can see only one proper basis upon which to arrive at a formula, and that is the number of miles and the number of lanes times the actual cost. That is the only reasonable basis on which to arrive at a formula. I do not see that population has anything at all to do with it.

Mr. CHAVEZ. It is one of the factors which is considered important in certain areas.

Mr. CAPEHART. It seems to me that the formula should be based on the number of miles times the actual cost. If Illinois wishes to build 1,500 miles of roads, the roads will cost 1,500 times the unit cost per mile. That is all there is to it.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. CHAVEZ. Let me finish this sentence, and then I shall be glad to yield.

The committee concluded that a formula based upon responsible estimates should be written into the law. Such a formula must be equitable to all the States, and must provide for a coordinated program of highway development in accordance with the objectives of the bill. It must also provide that Congress shall retain exclusive control of the apportionment of the funds. It must provide for periodic reviews of the program, and for legislative modification found necessary from time to time.

The Federal-aid laws are creatures of Congress. There is a school of thought which maintains that Congress should enact the authorizations and provide the money, and allow the States to decide whether or not roads should be built. The committee felt that Congress should retain control of that particular subject.

FEDERAL FUNDS DISTRIBUTION: POPULATION, FEDERAL LANDS, POST ROADS

Mr. MALONE. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. MALONE. The question of population has been raised. Is it not a fact that population bears a definite relationship to the wealth of the State? Does not the proportion of public lands have a bearing? In our State the proportion of public lands is probably greater than any other State in the Union. It is 87½ percent. It means that on a greater proportion of such lands no Federal law was ever passed to allow such lands to pass into private ownership—lack of water for irrigation was the principal reason.

Mr. CHAVEZ. The Senator from Indiana understands the problems which we must meet.

Mr. CAPEHART. The problem is not simple.

Mr. MALONE. I think it is simple. The wealth of a State is in almost direct proportion to the people in it—for the reason already stated.

Mr. CAPEHART. No; I do not wish to leave the impression that I think it is simple.

Mr. CHAVEZ. The Federal Government owns 87½ percent of the area of the State of Nevada.

Mr. CAPEHART. That is correct.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. CHAVEZ. I yield.

Mr. MALONE. What I am saying is that there probably never would have been interstate highways across Nevada if our State had had to meet 50 percent of the cost, so when the formula was arrived at in the beginning nearly 40 years ago balancing the population, area of public lands, and miles of post roads in the States share it worked out in an equitable manner. The proportion of public lands and the relative population of a State has a direct bearing on the wealth of the State, and its ability to contribute to the public road system.

The whole point is that the number of people in a State has a definite relationship to the percentage of public lands and the wealth of a State—and the ability to meet the Federal contribution for roads. The federally owned lands—87½ percent in my State—are benefited by the construction of highways.

Every State receives 50 percent—then it means that in the public-land States the Government simply pays its own way for the lands it owns in addition to the 50 percent.

The question raised by the distinguished Senator from Indiana has long been debated, and the answer arrived at seems equitable.

Mr. CHAVEZ. I believe that the factors which have been described were what the authors of the legislation had in mind in the early days, when population was considered.

Mr. MALONE. It is still a factor.

Mr. CHAVEZ. At the present time we are paying a tremendous price in the cost of accidents on our highways, not to mention the deaths, injuries, and disabilities, to which a monetary value cannot be assigned. Such accidents will continue and even increase as long as we have the present traffic volume and congestion on our out-moded, obsolete, and inadequate highways. Last year the vehicle registrations increased about 7 percent. In 1946 the registration was 34 million vehicles. Today it is over 62 million. By 1966 that registration will be about 85 million. We must build every known safety device into our present-day highways. We must also study the matter, enforce our traffic laws, and bring the realization of the conditions to the motoring public. The annual savings that will be realized will far exceed the annual expenditures on this vast new highway program.

The highway program recommended in H. R. 10660 would permit our eco-

nomie growth and expansion to continue. It would retain the existing responsibility and authority vested in both Federal and State Governments. It would give this Nation an adequate system of modern and safe highways for continued economic expansion, national defense, and the general welfare of our citizens.

Numerous amendments have been proposed to H. R. 10660. These will be discussed at the proper time. There will also be considerable discussion and debate on various other features of the bill. The Committee on Public Works recommends its amendment to the Senate as that which it considers the most desirable program to meet the growing needs and urgency for improving the highways of our Nation.

Mr. President, I should like to have printed in the RECORD at this point some tables showing the apportionments to the several States under the Federal-Aid Highway Act of 1954, and the approximate apportionments of the additional funds under the authorizations included in H. R. 10660. It should be noted that the total apportionments indicated for the National System of Interstate Highways may later require adjustment as reliable estimates of cost are received and the program reviewed.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Approximate apportionment of Federal-aid highway funds for fiscal year 1957 authorized by the Federal-Aid Highway Act of 1954

[Millions]

State	1954 act					State	1954 act				
	Primary (\$315)	Secondary (\$210)	Urban (\$175)	Interstate (\$175)	Total (\$875)		Primary (\$315)	Secondary (\$210)	Urban (\$175)	Interstate (\$175)	Total (\$875)
Alabama.....	\$6.7	\$5.2	\$2.3	\$3.5	\$17.7	New Hampshire.....	1.6	1.0	.5	1.1	4.2
Arizona.....	4.7	3.2	.7	2.0	10.6	New Jersey.....	4.1	1.4	7.6	3.8	16.9
Arkansas.....	5.3	4.2	1.0	2.5	13.0	New Mexico.....	5.1	3.5	.6	2.1	11.3
California.....	14.5	7.5	15.4	9.8	47.2	New York.....	14.9	6.0	23.2	12.2	56.3
Colorado.....	5.7	3.8	1.5	2.3	13.3	North Carolina.....	7.9	6.7	2.2	4.4	21.2
Connecticut.....	2.0	1.0	3.4	1.7	8.1	North Dakota.....	4.6	3.4	.3	1.9	10.2
Delaware.....	1.6	1.0	.4	1.1	4.1	Ohio.....	11.0	6.7	10.0	7.4	35.1
Florida.....	5.1	3.4	3.1	2.9	14.5	Oklahoma.....	6.8	4.9	1.9	3.1	16.7
Georgia.....	7.8	6.0	2.5	4.1	20.4	Oregon.....	5.4	3.8	1.4	2.3	12.9
Idaho.....	3.9	2.7	.3	1.7	8.6	Pennsylvania.....	12.4	7.4	13.1	9.2	42.1
Illinois.....	12.2	6.6	12.1	8.1	39.0	Rhode Island.....	1.6	1.0	1.2	1.1	4.9
Indiana.....	7.5	5.2	4.2	4.2	21.1	South Carolina.....	4.3	3.6	1.2	2.3	11.4
Iowa.....	7.6	5.6	2.1	3.5	18.8	South Dakota.....	5.0	3.6	.3	2.0	10.9
Kansas.....	7.6	5.4	1.6	3.2	17.8	Tennessee.....	6.9	5.3	2.5	3.7	18.4
Kentucky.....	5.9	4.9	1.8	3.2	15.8	Texas.....	20.6	13.8	8.3	9.9	52.6
Louisiana.....	4.9	3.6	2.5	2.8	13.8	Utah.....	3.6	2.4	.7	1.7	8.4
Maine.....	2.7	1.9	.7	1.4	6.7	Vermont.....	1.6	1.0	.3	1.1	4.0
Maryland.....	2.8	1.7	2.9	2.0	9.4	Virginia.....	6.0	4.7	2.7	3.5	10.9
Massachusetts.....	4.0	1.5	7.2	3.7	16.4	Washington.....	5.2	3.5	2.6	2.8	14.1
Michigan.....	9.9	6.0	8.1	6.2	30.2	West Virginia.....	3.5	3.0	1.1	2.1	9.7
Minnesota.....	8.3	5.9	2.8	4.0	21.0	Wisconsin.....	7.5	5.2	3.4	3.9	20.0
Mississippi.....	5.6	4.7	1.0	2.8	14.1	Wyoming.....	3.9	2.7	.2	1.7	8.5
Missouri.....	9.2	6.2	4.3	4.7	24.4	Hawaii.....	1.6	1.0	.6	-----	3.2
Montana.....	6.3	4.3	.4	2.4	13.4	District of Columbia.....	1.6	1.0	1.5	1.1	5.2
Nebraska.....	6.1	4.3	1.0	2.4	13.8	Puerto Rico.....	1.6	1.7	1.5	-----	4.8
Nevada.....	4.1	2.7	.2	1.8	8.8						

Approximate apportionments of Federal-aid funds and State matching funds pursuant to H. R. 10660 as reported out by Senate Public Works Committee, May 4, 1956

PRIMARY, SECONDARY, AND URBAN FUNDS

[Millions of dollars]

State	For fiscal year 1957			For each of fiscal years 1958-61 inclusive			5-year total		
	Federal (200.0)	State (186.1)	Total (386.1)	Federal (900.0)	State (835.8)	Total (1,735.8)	Federal (3,800.0)	State (3,528.5)	Total (7,328.5)
Alabama.....	4.1	4.1	8.2	18.6	18.6	37.2	78.4	78.4	156.8
Arizona.....	2.5	1.0	3.5	11.6	4.5	16.1	48.9	19.0	67.9
Arkansas.....	3.0	3.0	6.0	14.0	14.0	28.0	59.1	59.1	118.2
California.....	10.9	7.8	18.7	47.8	34.1	81.9	201.9	143.9	345.8
Colorado.....	3.2	2.5	5.7	14.9	11.5	26.4	62.8	48.4	111.2
Connecticut.....	1.9	1.9	3.8	8.0	8.0	16.0	34.1	34.1	68.2

Approximate apportionments of Federal-aid funds and State matching funds pursuant to H. R. 10660 as reported out by Senate Public Works Committee, May 4, 1956—Continued

## PRIMARY, SECONDARY, AND URBAN FUNDS—continued

[Millions of dollars]

State	For fiscal year 1957			For each of fiscal years 1958-61 inclusive			5-year total		
	Federal (200.0)	State (186.1)	Total (386.1)	Federal (900.0)	State (835.8)	Total (1,735.8)	Federal (3,800.0)	State (3,528.5)	Total (7,328.5)
Delaware.....	.9	.9	1.8	3.9	3.9	7.8	16.5	16.5	33.0
Florida.....	3.4	3.4	6.8	15.1	15.1	30.2	63.6	63.6	127.2
Georgia.....	4.6	4.6	9.2	21.4	21.4	42.8	90.2	90.2	180.4
Idaho.....	2.0	1.3	3.3	9.5	6.0	15.5	39.8	25.0	64.8
Illinois.....	8.9	8.9	17.8	39.4	39.4	78.8	166.7	166.7	333.4
Indiana.....	4.8	4.8	9.6	21.7	21.7	43.4	91.7	91.7	183.4
Iowa.....	4.4	4.4	8.8	20.1	20.1	40.2	84.7	84.7	169.4
Kansas.....	4.2	4.2	8.4	19.2	19.2	38.4	81.0	81.0	162.0
Kentucky.....	3.6	3.6	7.2	16.7	16.7	33.4	70.4	70.4	140.8
Louisiana.....	3.2	3.2	6.4	14.6	14.6	29.2	61.6	61.6	123.2
Maine.....	1.6	1.6	3.2	7.0	7.0	14.0	29.5	29.5	59.0
Maryland.....	2.1	2.1	4.2	9.6	9.6	19.2	40.6	40.6	81.2
Massachusetts.....	3.7	3.7	7.4	15.9	15.9	31.8	67.1	67.1	134.2
Michigan.....	6.8	6.8	13.6	30.7	30.7	61.4	129.7	129.7	259.4
Minnesota.....	4.9	4.9	9.8	22.1	22.1	44.2	93.2	93.2	186.4
Mississippi.....	3.3	3.3	6.6	15.0	15.0	30.0	63.4	63.4	126.8
Missouri.....	5.6	5.6	11.2	25.5	25.5	51.0	107.6	107.6	215.2
Montana.....	3.3	2.5	5.8	15.4	11.8	27.2	65.0	49.8	114.8
Nebraska.....	3.4	3.4	6.8	15.7	15.7	31.4	66.3	66.3	132.6
Nevada.....	2.1	.4	2.5	9.5	1.9	11.4	40.0	7.9	47.9
New Hampshire.....	1.0	1.0	2.0	4.1	4.1	8.2	17.4	17.4	34.8
New Jersey.....	3.8	3.8	7.6	16.2	16.2	32.4	68.5	68.5	137.0
New Mexico.....	2.7	1.6	4.3	12.5	7.4	19.9	52.6	31.0	83.6
New York.....	12.8	12.8	25.6	55.0	55.0	110.0	232.7	232.7	465.4
North Carolina.....	4.8	4.8	9.6	22.4	22.4	44.8	94.6	94.6	189.2
North Dakota.....	2.4	2.4	4.8	10.9	10.9	21.8	46.1	46.1	92.2
Ohio.....	8.0	8.0	16.0	35.6	35.6	71.2	150.2	150.2	300.4
Oklahoma.....	3.9	3.9	7.8	17.8	17.8	35.6	75.2	75.2	150.4
Oregon.....	3.1	1.9	5.0	14.1	8.7	22.8	59.5	36.5	96.0
Pennsylvania.....	9.7	9.7	19.4	42.6	42.6	85.2	180.3	180.3	360.6
Rhode Island.....	1.2	1.2	2.4	4.9	4.9	9.8	21.0	21.0	42.0
South Carolina.....	2.5	2.5	5.0	11.9	11.9	23.8	49.9	49.9	99.8
South Dakota.....	2.5	2.0	4.5	11.6	9.1	20.7	49.0	38.5	87.5
Tennessee.....	4.2	4.2	8.4	19.4	19.4	38.8	81.8	81.8	163.6
Texas.....	12.3	12.3	24.6	56.0	56.0	112.0	236.3	236.3	472.6
Utah.....	2.0	.7	2.7	9.2	3.1	12.3	38.6	13.0	51.6
Vermont.....	.9	.9	1.8	3.8	3.8	7.6	16.1	16.1	32.2
Virginia.....	4.0	4.0	8.0	17.7	17.7	35.4	75.1	75.1	150.2
Washington.....	3.3	2.9	6.2	15.0	13.0	28.0	63.3	54.8	118.1
West Virginia.....	2.2	2.2	4.4	10.2	10.2	20.4	42.8	42.8	85.6
Wisconsin.....	4.6	4.6	9.2	21.0	21.0	42.0	88.4	88.4	176.8
Wyoming.....	2.1	1.2	3.3	9.5	5.3	14.8	40.2	22.3	62.5
Hawaii.....	1.0	1.0	2.0	4.2	4.2	8.4	17.7	17.7	35.4
District of Columbia.....	1.2	1.2	2.4	5.2	5.2	10.4	22.2	22.2	44.4
Puerto Rico.....	1.4	1.4	2.8	6.3	6.3	12.6	26.7	26.7	53.4

Approximate apportionments of Federal funds and State matching funds pursuant to H. R. 10660 as reported out by Senate Public Works Committee, May 4, 1956

## INTERSTATE FUNDS

[Millions of dollars]

State	For fiscal year 1957			For fiscal year 1958			For each of fiscal years 1959-69, inclusive			13-year total		
	Federal (1,000.0)	State (106.0)	Total (1,106.0)	Federal (1,750.0)	State (185.9)	Total (1,935.9)	Federal (2,000.0)	State (212.2)	Total (2,212.2)	Federal (24,750.0)	State (2,624.3)	Total (27,374.3)
Alabama.....	20.3	2.3	22.6	35.6	4.0	39.6	40.6	4.5	45.1	502.8	55.9	558.7
Arizona.....	11.5	.7	12.2	20.1	1.2	21.3	22.9	1.4	24.3	283.6	16.9	300.5
Arkansas.....	14.5	1.6	16.1	25.4	2.8	28.2	29.1	3.2	32.3	359.6	40.0	399.6
California.....	57.0	5.2	62.2	99.8	9.1	108.9	114.1	10.4	124.5	1,411.4	128.1	1,539.5
Colorado.....	13.7	1.3	15.0	23.9	2.3	26.2	27.3	2.6	29.9	338.3	32.2	370.5
Connecticut.....	9.6	1.1	10.7	16.9	1.9	18.8	19.3	2.1	21.4	238.3	26.5	264.8
Delaware.....	6.3	.7	7.0	10.9	1.2	12.1	12.5	1.4	13.9	154.7	17.2	171.9
Florida.....	17.0	1.9	18.9	29.8	3.3	33.1	34.0	3.8	37.8	420.8	46.8	467.6
Georgia.....	23.3	2.6	25.9	40.8	4.5	45.3	46.6	5.2	51.8	576.8	64.1	640.9
Idaho.....	10.1	.8	10.9	17.7	1.5	19.2	20.2	1.7	21.9	250.5	20.9	271.4
Illinois.....	47.1	5.2	52.3	82.5	9.2	91.7	94.3	10.5	104.8	1,166.9	129.7	1,296.6
Indiana.....	24.3	2.7	27.0	42.6	4.7	47.3	48.6	5.4	54.0	602.1	66.9	669.0
Iowa.....	20.4	2.3	22.7	35.7	4.0	39.7	40.8	4.5	45.3	505.6	56.2	561.8
Kansas.....	18.1	2.0	20.1	31.8	3.5	35.3	36.3	4.0	40.3	449.2	49.9	499.1
Kentucky.....	18.8	2.1	20.9	32.8	3.6	36.4	37.5	4.2	41.7	464.2	51.6	515.8
Louisiana.....	16.5	1.8	18.3	28.9	3.2	32.1	35.0	3.7	38.7	408.5	45.4	453.9
Maine.....	8.0	.9	8.9	14.1	1.6	15.7	16.1	1.8	17.9	199.0	22.1	221.1
Maryland.....	12.0	1.3	13.3	21.0	2.3	23.3	24.0	2.7	26.7	296.9	33.0	329.9
Massachusetts.....	21.3	2.4	23.7	37.4	4.2	41.6	42.7	4.7	47.4	528.4	58.7	587.1
Michigan.....	36.0	4.0	40.0	62.0	7.0	69.0	71.9	8.0	79.9	889.8	98.9	988.7
Minnesota.....	22.5	2.5	25.0	39.4	4.4	43.8	45.1	5.0	50.1	557.6	62.0	619.6
Mississippi.....	15.9	1.8	17.7	27.8	3.1	30.9	31.7	3.5	35.2	392.5	43.6	436.1
Missouri.....	27.1	3.0	30.1	47.4	5.3	52.7	54.2	6.0	60.2	670.4	74.5	744.9
Montana.....	14.4	1.4	15.8	25.1	2.4	27.5	28.7	2.7	31.4	355.5	33.7	389.2
Nebraska.....	14.3	1.6	15.9	25.1	2.8	27.9	28.7	3.2	31.9	355.0	39.4	394.4
Nevada.....	10.4	.5	10.9	18.3	1.0	19.3	20.9	1.1	22.0	258.4	13.6	272.0
New Hampshire.....	6.3	.7	7.0	10.9	1.2	12.1	12.5	1.4	13.9	154.7	17.2	171.9

Approximate apportionments of Federal funds and State matching funds pursuant to H. R. 10660 as reported out by Senate Public Works Committee, May 4, 1956—Continued

INTERSTATE FUNDS  
[Millions of dollars]

State	For fiscal year 1957			For fiscal year 1958			For each of fiscal years 1959-69, inclusive			13-year total		
	Federal (1,000.0)	State (106.0)	Total (1,106.0)	Federal (1,750.0)	State (185.9)	Total (1,935.9)	Federal (2,000.0)	State (212.2)	Total (2,212.2)	Federal (24,750.0)	State (2,624.3)	Total (27,374.3)
New Jersey	21.9	2.4	24.3	38.3	4.3	42.6	43.8	4.9	48.7	542.1	60.2	602.3
New Mexico	12.1	1.0	13.1	21.2	1.7	22.9	24.3	1.9	26.2	300.5	24.0	324.5
New York	70.9	7.9	78.8	124.1	13.8	137.9	141.8	15.8	157.6	1,754.6	195.0	1,949.6
North Carolina	25.5	2.8	28.3	44.6	5.0	49.6	51.0	5.7	56.7	631.0	70.1	701.1
North Dakota	11.1	1.2	12.3	19.4	2.2	21.6	22.2	2.5	24.7	274.4	30.5	304.9
Ohio	42.8	4.8	47.6	74.9	8.3	83.2	85.6	9.5	95.1	1,059.8	117.8	1,177.6
Oklahoma	17.9	2.0	19.9	31.3	3.5	34.8	35.8	4.0	39.8	442.8	49.2	492.0
Oregon	13.6	1.1	14.7	23.8	2.0	25.8	27.2	2.2	29.4	336.0	27.7	363.7
Pennsylvania	53.6	6.0	59.6	93.8	10.4	104.2	107.2	11.9	119.1	1,326.8	147.4	1,474.2
Rhode Island	6.3	.7	7.0	10.9	1.2	12.1	12.5	1.4	13.9	154.7	17.2	171.9
South Carolina	13.4	1.5	14.9	23.5	2.6	26.1	26.9	3.0	29.9	332.8	37.0	369.8
South Dakota	11.6	1.1	12.7	20.3	2.0	22.3	23.2	2.2	25.4	286.6	27.7	314.3
Tennessee	21.4	2.4	23.8	37.4	4.2	41.6	42.8	4.8	47.6	529.2	58.8	588.0
Texas	57.5	6.4	63.9	100.6	11.2	111.8	114.9	12.8	127.7	1,422.4	158.0	1,580.4
Utah	9.7	.5	10.2	17.1	.9	18.0	19.5	1.0	20.5	241.2	12.8	254.0
Vermont	6.3	.7	7.0	10.9	1.2	12.1	12.5	1.4	13.9	154.7	17.2	171.9
Virginia	20.2	2.2	22.4	35.4	3.9	39.3	40.5	4.5	45.0	501.0	55.7	556.7
Washington	16.1	1.6	17.7	28.1	2.9	31.0	32.1	3.3	35.4	397.5	40.7	438.2
West Virginia	11.9	1.3	13.2	20.8	2.3	23.1	23.8	2.6	26.4	294.8	32.8	327.6
Wisconsin	22.8	2.5	25.3	39.9	4.4	44.3	45.5	5.1	50.6	563.7	62.6	626.3
Wyoming	10.4	.8	11.2	18.2	1.4	19.6	20.8	1.6	22.4	257.2	19.7	276.9
Hawaii												
District of Columbia	6.3	.7	7.0	10.9	1.2	12.1	12.5	1.4	13.9	154.7	17.2	171.9
Puerto Rico												

Total funds, apportionment to States, H. R. 10660, as amended, (based on existing law)

[Millions of dollars]

State	Primary system			Secondary system			Urban system			Total regular sys-tems	Interstate system			Total	Grand total in bill
	Fiscal year 1957	Fiscal year 1958-61	Total	Fiscal year 1957	Fiscal year 1958-61	Total	Fiscal year 1957	Fiscal year 1958-61	Total		Fiscal year 1957	Fiscal year 1958	Fiscal year 1959-69		
Alabama	8.6	34.0	42.6	6.7	30.0	36.7	3.0	10.4	13.4	92.7	23.8	35.6	446.6	506.0	598.7
Arizona	6.1	24.4	30.5	4.1	18.8	22.9	.9	3.2	4.1	57.5	13.5	20.1	251.9	285.5	343.0
Arkansas	6.8	27.2	34.0	5.4	24.4	29.8	1.3	4.4	5.7	59.5	17.0	25.4	320.1	362.5	422.0
California	18.7	75.6	94.3	9.7	44.0	53.7	19.9	71.6	91.5	239.5	66.8	99.8	1,255.1	1,421.7	1,661.2
Colorado	7.4	30.0	37.4	4.9	22.8	27.7	1.9	6.8	8.7	73.8	16.0	23.9	300.3	340.7	414.5
Connecticut	2.6	10.4	13.0	1.3	6.0	7.3	4.4	15.6	20.0	40.3	7.3	16.9	212.3	240.5	280.8
Delaware	2.1	8.0	10.1	1.3	6.0	7.3	.5	1.6	2.1	19.5	11.4	10.9	137.5	155.8	175.3
Florida	6.6	26.4	33.0	4.4	19.6	24.0	4.0	14.4	18.8	75.8	19.9	29.8	374.0	423.7	499.5
Georgia	10.0	39.6	49.6	7.7	34.4	42.1	3.2	11.6	14.8	106.5	27.4	40.8	512.6	580.8	657.3
Idaho	5.0	20.4	25.4	3.5	16.0	19.5	.4	1.6	2.0	46.9	11.8	17.7	222.2	251.7	298.6
Illinois	15.7	62.8	78.5	8.5	38.4	46.9	15.6	56.4	72.0	197.4	55.2	82.5	1,037.3	1,175.0	1,374.2
Indiana	9.6	38.0	47.6	6.7	29.6	36.3	5.4	19.2	24.6	108.5	28.5	42.6	534.6	605.7	714.2
Iowa	9.8	38.8	48.6	7.2	32.0	39.2	2.7	9.6	12.3	100.1	23.9	35.7	448.8	508.4	608.5
Kansas	9.8	38.8	48.6	6.9	30.4	37.3	2.1	7.6	9.7	95.6	21.3	31.8	398.3	452.4	548.0
Kentucky	7.6	30.4	38.0	6.3	28.0	34.3	2.3	8.4	10.7	83.0	22.0	32.8	412.5	467.3	550.3
Louisiana	6.3	25.6	31.9	4.7	20.8	25.5	3.2	12.0	15.2	72.6	19.3	28.9	363.0	411.2	483.8
Maine	3.5	13.6	17.1	2.5	11.2	13.7	.9	3.2	4.1	34.9	9.4	14.1	177.1	200.6	235.5
Maryland	3.6	14.8	18.4	2.2	10.0	12.2	3.7	13.6	17.3	47.9	14.0	21.0	264.0	299.0	346.9
Massachusetts	5.2	21.2	26.4	1.9	8.8	10.7	9.3	33.6	42.9	80.0	25.0	37.4	469.7	532.1	612.1
Michigan	12.7	50.8	63.5	7.7	34.8	42.5	10.4	37.2	47.6	153.6	42.2	62.9	790.9	896.0	1,049.6
Minnesota	10.7	42.0	52.7	7.6	33.2	40.8	3.6	13.2	16.8	110.3	26.5	39.4	496.1	562.0	672.3
Mississippi	7.2	28.8	36.0	6.1	26.8	32.9	1.3	4.4	5.7	74.6	18.7	27.8	348.7	395.2	469.8
Missouri	11.8	46.8	58.6	8.0	35.6	43.6	5.5	19.6	25.1	127.3	31.8	47.4	596.2	675.4	802.7
Montana	8.2	33.6	41.8	5.6	26.0	31.6	.5	2.0	2.7	76.1	16.8	25.1	315.7	357.0	433.7
Nebraska	7.9	32.4	40.3	5.6	25.6	31.2	1.3	4.8	6.1	77.6	16.7	25.1	315.7	357.5	435.1
Nevada	5.3	21.2	26.5	3.5	16.0	19.5	1.3	4.8	1.1	47.1	12.2	18.3	229.9	260.4	307.4
New Hampshire	2.1	8.0	10.1	1.3	6.0	7.3	.7	2.4	3.1	20.5	7.4	10.9	137.5	155.8	176.3
New Jersey	5.3	21.2	26.5	1.8	8.4	10.2	9.8	35.2	45.0	81.7	25.7	38.3	481.8	545.8	627.5
New Mexico	6.6	26.8	33.4	4.5	20.4	24.9	.8	2.8	3.6	61.9	14.2	21.2	267.3	302.7	364.6
New York	19.2	77.2	96.4	7.8	35.2	43.0	29.9	107.6	137.5	276.9	83.1	124.1	1,559.8	1,767.0	2,043.9
North Carolina	10.2	40.4	50.6	8.6	38.8	47.4	2.8	10.4	13.2	111.2	29.9	44.6	561.0	635.5	746.7
North Dakota	5.9	23.2	29.1	4.4	19.2	23.6	.4	1.2	1.6	54.3	13.0	19.4	244.2	276.6	330.9
Ohio	14.2	56.8	71.0	8.6	38.8	47.4	12.9	46.8	59.7	178.1	50.2	74.9	941.6	1,066.7	1,244.8
Oklahoma	8.7	34.4	43.1	6.3	28.0	34.3	2.5	8.8	11.3	88.7	21.0	31.3	393.8	446.1	534.8
Oregon	7.0	28.0	35.0	4.9	22.0	26.9	1.8	6.4	8.2	70.1	15.9	23.8	299.2	338.9	409.0
Pennsylvania	16.1	65.6	81.7	9.6	44.0	53.6	16.9	60.8	77.7	213.0	62.8	93.8	1,179.2	1,335.8	1,548.8
Rhode Island	2.1	8.0	10.1	1.3	6.0	7.3	1.6	5.6	7.2	24.6	7.4	10.9	137.5	155.8	180.4
South Carolina	5.5	21.6	27.1	4.6	20.4	25.0	1.5	5.6	7.1	59.2	15.7	23.5	295.9	335.1	394.3
South Dakota	6.4	24.8	31.2	4.6	20.0	24.6	.4	1.6	2.0	57.8	13.6	20.3	255.2	289.1	346.9
Tennessee	8.9	35.2	44.1	6.8	30.8	37.6	3.2	11.6	14.8	96.5	25.1	37.4	470.8	533.9	629.8
Texas	26.5	108.6	135.1	17.8	79.6	97.4	10.7	38.8	49.5	279.0	67.4	100.6	1,263.9	1,431.9	1,710.9
Utah	4.7	19.2	23.9	3.1	14.0	17.1	.9	3.6	4.5	45.5	11.4	17.1	214.5	243.0	288.5
Vermont	2.1	8.0	10.1	1.3	6.0	7.3	.3	1.2	1.6	19.0	7.4	10.9	137.5	155.8	174.8
Virginia	7.8	31.2	39.0	6.1	27.2	33.3	3.5	12.4	15.9	68.2	23.7	35.4	445.5	504.6	592.8
Washington	6.7	27.2	33.9	4.6	20.4	24.9	3.4	12.4	15.8	74.6	18.9	28.1	353.1	400.1	474.7
West Virginia	4.5	18.0	22.5	3.9	18.0	21.9	1.4	5.2	6.6	51.0	14.0	20.8	261.8	296.6	347.6
Wisconsin	9.6	38.4	48.0	6.7	30.0	36.7	4.4	15.6	20.0	104.7	26.7	39.9	500.5	567.1	671.8
Wyoming	5.1	21.2	26.3	3.5	16.0	19.5	.3	.8	1.1	46.9	12.1	18.2	228.8	259.1	306.0
Hawaii	2.1	8.0	10.1	1.3	6.0	7.3	.8	2.8	3.6	21.0				0	21.0
District of Columbia	2.1	8.0	10.1	1.3	6.0	7.3	1.9	6.8	8.7	26.1	7.4	10.9	137.5	155.8	181.9
Puerto Rico	2.1	8.4	10.5	2.2	10.0	12.2	1.9	6.8	8.7	31.4				0	31.4

H. R. 10660, total authorizations, Senate amendment, fiscal years 1957-69 (apportionment based on existing law)

[Millions]

State	1957	1958	1959	1960-69	Total
Alabama	\$42.1	\$54.2	\$50.2	\$443.2	\$598.7
Arizona	24.6	31.7	34.5	252.2	343.0
Arkansas	30.5	39.4	43.1	319.0	432.0
California	115.1	147.6	161.9	236.6	1,661.2
Colorado	30.2	38.8	42.2	302.8	414.0
Connecticut	19.6	24.9	27.3	209.0	280.8
Delaware	11.3	14.8	16.4	132.8	175.3
Florida	34.9	44.9	49.1	370.2	499.1
Georgia	48.3	62.4	68.0	508.8	687.5
Idaho	20.7	27.2	29.7	221.0	298.6
Illinois	95.0	121.9	133.7	1,021.8	1,372.4
Indiana	50.2	64.3	70.3	529.5	714.3
Iowa	43.2	55.8	60.9	448.2	608.1
Kansas	40.1	51.0	55.5	401.4	548.0
Kentucky	38.2	49.5	54.2	408.4	550.3
Louisiana	33.5	43.5	47.6	359.2	483.8
Maine	16.3	21.1	23.1	175.0	235.5
Maryland	23.5	30.6	33.6	259.2	346.9
Massachusetts	41.4	53.3	58.6	458.8	612.1
Michigan	73.0	93.6	102.6	780.2	1,049.4
Minnesota	48.4	61.5	67.2	498.2	672.3
Mississippi	33.3	42.8	46.7	347.0	469.8
Missouri	57.1	72.9	79.7	593.0	802.6
Montana	31.1	40.5	44.1	317.8	433.5
Nebraska	31.5	40.8	44.4	318.4	435.1
Nevada	21.3	27.8	30.4	228.0	307.5
New Hampshire	11.5	15.0	16.6	133.2	176.3
New Jersey	42.6	54.5	60.0	470.4	627.5
New Mexico	26.1	33.7	36.8	268.0	364.6
New York	140.0	179.1	196.8	1,528.0	2,043.9
North Carolina	31.5	67.0	72.4	554.8	745.7
North Dakota	23.7	30.3	33.1	243.8	330.9
Ohio	85.9	110.5	121.2	927.2	1,244.8
Oklahoma	38.5	49.1	53.6	393.6	534.8
Oregon	29.6	37.9	41.3	300.2	409.0
Pennsylvania	105.4	136.4	149.8	1,157.2	1,548.8
Rhode Island	12.4	15.8	17.4	134.8	180.4
South Carolina	27.3	35.4	38.8	292.8	394.3
South Dakota	25.0	31.9	34.8	255.2	346.9
Tennessee	44.0	56.8	62.2	466.8	629.8
Texas	122.4	156.6	170.9	1,261.0	1,710.9
Utah	20.1	26.3	28.7	213.4	288.5
Vermont	11.2	14.7	16.3	132.6	174.8
Virginia	41.1	53.1	58.2	440.4	592.8
Washington	33.5	43.1	47.1	351.0	474.7
West Virginia	23.8	31.0	34.0	258.4	347.2
Wisconsin	47.4	60.9	66.5	497.0	671.8
Wyoming	21.0	27.7	30.3	227.0	296.0
Hawaii	4.2	4.2	4.2	8.4	21.0
District of Columbia	12.7	16.1	17.7	135.4	181.9
Puerto Rico	6.2	6.3	6.3	12.6	31.4

Includes authorizations for fiscal year 1957.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. GORE. The distinguished chairman of the Committee on Public Works has made a very able statement, and I wish to congratulate him upon it. I also wish to take this opportunity of expressing my own appreciation to him for the guidance and inspiration he provided in the consideration in committee of this proposed legislation, as well as that provided by other members of the committee. It was at the suggestion of the distinguished chairman of the committee that, as chairman of the Subcommittee on Roads, I introduced a highway bill last year. I wish to say that no senior Member of the Senate has, in my opinion, ever afforded a junior Member of the Senate greater opportunity, finer cooperation, and more helpful suggestions and leadership than the senior Senator from New Mexico has afforded the junior Senator from Tennessee, and I appreciate it very much.

Mr. CHAVEZ. Mr. President, I thank the Senator from Tennessee for his kind words. I am proud of the Committee on Public Works. When I say Committee on Public Works, I do not mean to be partisan at all. I am proud of the Democrats and I am proud of the Republicans on the committee. I have had wonderful cooperation. My nature—I

will not call it patience—is such that when I appoint a Member to a subcommittee I trust him. That is the reason I told the Senator from Tennessee to go ahead. I trust the Senator from Tennessee. He happens to be the chairman of the Subcommittee on Roads. The hard working Senator from Oklahoma [Mr. KERR] handles proposed legislation on rivers and harbors and flood control, and I trust him, too. The Senator from Michigan [Mr. McNAMARA] does not come from the West, but he has his problems, and I trust him also. I trust all members of the committee, and I thank all of them, including, of course, my good friend the Senator from Pennsylvania [Mr. MARTIN] and the Senator from New Hampshire [Mr. CORRON] and the Senator from South Dakota [Mr. CASE].

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. MARTIN of Pennsylvania. All of us are very appreciative of the explanation which the distinguished Senator from New Mexico has made of title I of the bill. In the Committee on Public Works we tried to be nonpartisan. We have endeavored to frame a bill which will redound to the benefit of the whole United States. We have tried to avoid being partial to our own communities. The distinguished chairman of the Committee on Public Works has done a very fine job, and I am proud of my association with him.

In order to clarify the subject further, I wonder whether the Senator from New Mexico will permit me to ask him a few questions.

Mr. CHAVEZ. I shall be glad to have the Senator do so. Before he proceeds, I wish it understood that I am not partial or partisan in any way. I wish to pay my respects also to the Senator from Connecticut [Mr. BUSH] and the Senator from California [Mr. KUCHEL], and all other members of the committee.

Mr. MARTIN of Pennsylvania. And the Senator from Nebraska [Mr. HRUSKA].

Mr. CHAVEZ. And the Senator from Nebraska [Mr. HRUSKA], of course.

Mr. MARTIN of Pennsylvania. If the Senator will yield for some questions, to clarify the subject, I should like to ask him this question first: As I understand, the bill which is now before the Senate provides an additional 2,500 miles for the interstate system. Is that correct?

Mr. GORE. Yes; that is correct.

Mr. CHAVEZ. That is correct.

Mr. GORE. The legal limit now for the interstate highway system is 40,000 miles. All the 40,000 miles have been designated and allocated. No more are available, no matter how pressing the circumstance or requirement may be. So the Senate Committee on Public Works recommends the addition of 2,500 miles, or a total of 42,500 miles.

Mr. MARTIN of Pennsylvania. As I understand, the Interstate System is not intended simply to connect certain cities, but rather, localities; and the purpose is to create a system of roads which can be used for defense purposes and also to meet the expansion of our economy.

Mr. CHAVEZ. The Senator is correct. For example, there are many small communities between Philadelphia and Pittsburgh, and we hope that this system will give service to those communities also.

Mr. MARTIN of Pennsylvania. As I understand, the committee have substituted for the House bill what is known as the Gore bill, which was passed by the Senate without a record vote last year. Although we had some debate on the floor last year relative to financing, and matters of that kind, the Gore bill was practically unanimously passed by the Senate last year. Is that correct?

Mr. CHAVEZ. That is correct. If the Senator will recall, so far as the committee action was concerned, the bill was reported by a vote of 11 to 2.

Mr. MARTIN of Pennsylvania. We amended the so-called Gore bill. In the Gore bill the interstate system would have been subject to a 5-year plan.

Mr. CHAVEZ. That is correct.

Mr. MARTIN of Pennsylvania. We amended that provision to include the plan of the House, which is known as the Fallon bill, which extends the 5-year period to 13 years. Is that correct?

Mr. CHAVEZ. It extends it to 13 years; that is correct.

Mr. CASE of South Dakota and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. CHAVEZ. I should like to continue to yield further to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. The reason I am asking these questions is to afford our colleagues an opportunity to have full knowledge of the bill the Senate is now considering.

Mr. CHAVEZ. The Senate bill provided for a 5-year program.

Mr. CASE of South Dakota. That was last year.

Mr. CHAVEZ. Last year. We did that with the idea that we should look it over at the end of that period. However, the Senate committee has now adopted the House program, which is 13 years.

Mr. BUSH. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. CHAVEZ. I shall ask the President pro tempore to rule on that point.

Mr. BUSH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Connecticut will state it.

Mr. BUSH. I make this inquiry for the purpose of having the parliamentary situation clearly stated for the benefit of the Senate. I had intended this morning to offer an amendment to the pending bill, which would substitute the House bill for the committee bill. I ask the Chair to rule whether such an amendment would be in order. I may say, for the information of the Senate, that the purpose was to bring into sharp focus the House bill and to obtain a ye-and-nay vote on the House bill as against the committee bill.

The PRESIDENT pro tempore. Such a motion would not be in order, in the judgment of the Chair.

Mr. BUSH. It would not be in order?

The PRESIDENT pro tempore. It would not be in order at this time.

Mr. BUSH. I wished the Senate to understand that situation, because there has been some question as to why we did not offer an amendment to substitute the House bill. It is because it would not be in order to do so.

The PRESIDENT pro tempore. Even if it were in order, perfecting amendments to the House provision would be in order first, and would take precedence.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from New Mexico yield for one more question?

Mr. CHAVEZ. I yield.

Mr. MARTIN of Pennsylvania. As I understand, the House bill makes the distribution to the various States on the basis of what are termed needs, while there is an exact formula in the Gore bill.

Mr. CHAVEZ. That is correct.

Mr. MARTIN of Pennsylvania. I thank the Senator very much.

Mr. CHAVEZ. The reason why the Senate took that position is that, for instance, my good friend from Connecticut would know more about the needs of his State than would some clerk in the Department of Commerce.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. Is it not possible to work it out on the basis of what actually is the cost? We shall eventually have to do that. Someone must pay the actual cost.

Mr. CHAVEZ. Yes, I know; but the need the Senator from Pennsylvania was discussing is one thing. All States need roads. The question is, Who is going to determine the need?

Mr. CAPEHART. There are 40,000 miles of interstate highways. We want roads so badly that the Federal Government is willing to pay 90 percent and to ask the States to pay only 10 percent. Why can it not be worked out on the basis of taking the number of miles in each State times the actual cost of constructing the roads?

Mr. CHAVEZ. Using, as an example, the State of Pennsylvania and New Jersey, one would not think there would be such a difference in cost.

Mr. CAPEHART. There is a difference in cost because it costs much more to build a road in Wyoming or in New Mexico, through the mountains, than it costs to build one in Kansas, for example.

Mr. CHAVEZ. Let us take New Jersey and Pennsylvania as an example. The needs are based on the information the State submits to the Bureau of Public Roads as to the cost. The cost in Pennsylvania is \$500,000 a mile, and in New Jersey it is \$6 million.

Mr. CAPEHART. Why can it not be worked out on the basis that the Federal Government, before the contracts are let, may approve the cost—give the Federal Government the right to approve or disapprove all costs—and the Federal Government will then pay 90 percent of that amount and the States will pay 10 percent?

Mr. CHAVEZ. I agree completely with the Senator from Indiana, and I hope the Federal Government will do just that.

Mr. CASE of South Dakota. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. CASE of South Dakota. The best answer to the question of the distinguished Senator from Indiana is to take the estimate of cost as written into the House bill with reference to the State of Indiana as compared with the State of Illinois. We find this situation. The House proposed the figures submitted to the Bureau of Public Roads under section 13 of the 1954 Highway Act. These were the figures used by the Clay Commission for determining the total cost involved, and these are the figures the House would write into the formula of distribution on the so-called basis of need.

Indiana submitted her estimate of what it would cost to build the Interstate System. So did Illinois. Let me show the Senator from Indiana the result on 4-lane construction for the urban section of the Interstate System. In Indiana the low 10 percent of cost figure was more than \$2 million a mile. In Illinois it was only \$610,000 a mile.

On rural roads Indiana estimated a low 10 percent cost of \$335,000 a mile. Illinois estimated \$225,000 a mile.

On structures for a mile of 2-lane rural interstate road in Indiana, the estimate was \$185,000 per structure. In Illinois it was only \$18,000.

Mr. CAPEHART. Those figures mean nothing to me, because they are only estimates. I say that whatever the cost may be, that is the amount we should appropriate for each of the States.

Mr. CASE of South Dakota. No. The amount which would be apportioned to the States under the House formula would be based upon the figures I have just read.

Mr. CAPEHART. We should write into the bill, then, that when the total contracts are ready to be let, the Federal Government will either approve or disapprove them. Indiana may have overestimated; I do not know. Illinois may have underestimated; I do not know. But, if we are going to be fair about the matter, it must be based on the actual cost. It cannot be anything else, because if that is not the case we shall get into a great deal of trouble.

Mr. CHAVEZ. Mr. President, will the Senator from South Dakota read the estimates of Pennsylvania and New Jersey?

Mr. CAPEHART. We are talking about estimates put in by the States.

Mr. CHAVEZ. I yielded to the Senator from South Dakota.

Mr. CASE of South Dakota. The Senator from New Mexico asked me to read the figures affecting Pennsylvania and New Jersey. The average cost per mile gives these results: Pennsylvania has an average cost per mile of \$577,000. New Jersey has an average cost of \$6,652,000 a mile.

The able Senator from Indiana has pointed out that the actual cost will be

the amount which is written into the contract, but the apportionment to the States for the first 2 years, under the House formula, is by law going to be—it would be by law if we should adopt the House provision—the figures I have just read. That is the so-called estimate of need.

Mr. BUSH. Mr. President, will the Senator from New Mexico yield to me?

Mr. CASE of South Dakota. The Senator from New Mexico has yielded to me, and I should like to finish my statement.

Mr. CHAVEZ. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. The difference is that for the first 2 years the States would be in the program upon an apportionment of dollars. During the first 2 years the States would receive their money, under the House formula, in the magnitude I have indicated, and they would begin buying their rights-of-way and letting contracts. They would have that much money with which to start the program, and there would be that kind of a disproportionate approach to the program. The right-of-way is one of the important factors. For example, in Maine it is estimated that the right-of-way for a mile of four-lane construction will cost \$1 million, but in Maryland, represented by my distinguished friend at my right [Mr. BUTLER], it will cost \$195,000 for a mile of right-of-way.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield?

Mr. CASE of South Dakota. Obviously, it is going to make a great deal of difference if we give Maine a million dollars a mile to start her interstate system and give Maryland \$195,000.

The Senate committee formula may not be perfect, but it has some precedent. It was worked out following a good deal of debate and discussion during the consideration of the 1954 bill.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield?

Mr. CASE of South Dakota. I should like to finish my thought.

The program in the Senate bill preserves the historic distribution formula of one-third on mileage, one-third on population, and one-third on area.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield so that I may ask the Senator from South Dakota a question?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. I should like to ask the Senator from South Dakota a specific question. The State of South Dakota estimated it would need \$101 million. Was that an honest estimate? If it was, then, why, under the Senate bill is it increased by \$184 million?

Mr. CASE of South Dakota. We did not do any such thing.

Mr. CAPEHART. The Senator said Indiana was overestimated. Was South Dakota underestimated? If so, why does the Senator want to increase the amount for South Dakota by \$184 million?

Mr. CASE of South Dakota. I do not want South Dakota to get any more money than will be needed to build the interstate system for South Dakota.

Mr. CAPEHART. South Dakota said it could build its system for \$101 million. In the Senate committee bill it is proposed to grant South Dakota \$286 million.

Mr. CASE of South Dakota. No; it is not. It is not anticipated, I believe, by any member of the Committee on Public Works that any formula will be continued for 13 years after the initial period of determining costs.

In South Dakota, it was estimated that \$15,900 would be required to acquire a mile of right-of-way. In Indiana it was estimated that it would cost \$40,000 a mile for a rural road.

Mr. CAPEHART. South Dakota estimated and gave to the House a figure of \$101 million as the cost of building its share of the interstate system. Because in the Senate bill the amount has been increased to \$286 million, my question is, Did South Dakota underestimate the cost, or did not South Dakota know what it was doing?

Mr. CASE of South Dakota. The Senator from Indiana has not followed the complete story of the development of the formula.

Mr. CAPEHART. I have followed it. I have followed it to the extent of noticing that South Dakota's amount has been increased by \$184 million. That is what is shown in the formula. In other words, the Senator from South Dakota is the one who injected Indiana into the picture and said that Indiana had overestimated. My question is, Did South Dakota underestimate its needs. Evidently it must have.

Mr. CASE of South Dakota. In the final analysis, no State will receive more than the amount which it needs to discharge the contracts which will be let.

Mr. CAPEHART. Then why did the Senator criticize Indiana a moment ago?

Mr. CASE of South Dakota. What I am objecting to is the allocation to Indiana, or any other State, in the first 2 years of a disproportionate amount of money for launching the program.

Mr. CAPEHART. The Senator from South Dakota and I are in 100-percent agreement on that point.

Mr. CASE of South Dakota. My desire is that each State shall receive exactly the amount it will need.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield to the Senator from Tennessee.

Mr. GORE. In response to the question of the able Senator from Indiana, I point out that some States grossly underestimated the amounts they would require. The Senator has asked certain questions of the Senator from South Dakota. He might ask the same questions with respect to Tennessee. If he would, I think I could provide him with the answers.

Tennessee underestimated. Tennessee has only recently completed a new estimate, one which was made with a great deal of care, after surveys had been made. The first estimate was made very hurriedly. In the first estimate, which was submitted as a part of the report and the chart, Tennessee estimated a cost of about \$380 million to complete its

interstate system. The estimate now is more than \$600 million.

When the bill was previously before the committee, a statement was made that under the formula in S. 1048, Tennessee would get more than it needed, just as it is now implied that South Dakota would get more than it needed.

Mr. CAPEHART. I did not say that South Dakota would get more than it needed.

Mr. GORE. Let me complete my statement. Now, however, after a careful survey has been made, the original estimate is revealed to have been exceedingly low.

Pennsylvania made the same mistake. Pennsylvania submitted an estimate of \$550,000 a mile. Her adjoining sister State of New Jersey, as the Senator from South Dakota has pointed out, submitted an estimate of \$6,650,000 a mile. There we find two adjoining States which have submitted estimates according to a formula in the House bill, one of which is being penalized for no other reason than that its highway department, in response to an invitation, submitted a hurried, unrealistic estimate. On the other hand, the adjoining State would be favored with an apportionment of about 12 times as much a mile, only for the reason that its State highway department, perhaps also hurriedly, submitted a very high estimate.

I say that Congress cannot and must not start the distribution of the vast sums involved in the bill in such a haphazard manner. The formula in the Senate committee bill is not a perfect formula. No perfect formula can be devised. But the formula has the merit of being a legal formula for the distribution of the taxpayers' money. Moreover, it has the merit of having been tested and tried with 2 years of experience. As chairman of the Subcommittee on Roads, I have not heard one complaint about its operations during the 2 years.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from California, who is a member of the committee.

Mr. KUCHEL. I appreciate the Senator's courtesy.

I should like to ask the Senator from Tennessee a question. When his State government, as I believe he just indicated, made an estimate of the cost of the Interstate System, did it make the estimate on the basis of its conception of its need, or did it make the estimate under the Federal 1954 formula?

Mr. GORE. Mr. President, will the Senator from New Mexico yield, so that I may answer the Senator from California?

Mr. CHAVEZ. I yield to the Senator from Tennessee.

Mr. GORE. I am glad the able Senator from California has asked his question. The answer to it points up one of the fallacies in the apportionment of funds on the basis of the table, because there was little uniformity in the standards which the various States used. Pennsylvania used one standard; Ohio may have used another.

Mr. KUCHEL. Will the Senator from Tennessee, however, state the basis on which his State, which he, in part, ably represents, made its estimate? Was it not on the basis of its belief of need?

Mr. GORE. I am not certain whether the Senator from California is referring to the first, hurried estimate, or to the later, more careful estimate. To which does he refer?

Mr. KUCHEL. To both. In each instance, what was the basis which was used by Tennessee to say, "We need this much money in order to complete the Interstate System within Tennessee"? On what basis did Tennessee make that estimate?

Mr. GORE. Tennessee made a very hurried estimate, in the first instance, of what it would cost to finish the interstate highways according to the standards which Tennessee had in mind at that time. The later estimate was more carefully made, according to the standards of the present day.

Mr. CHAVEZ. I should like to add to the statement of the Senator from Tennessee. The Senator from California understands the operations of highway departments in the individual States. Every State in the Union is interested in getting some of the money which Congress will make available. So the first thing each State did was to have its State highway engineer estimate what the State would need for the next 2 years. Two years later, the State highway commissions have learned, after hearing from the people of the States, that their estimates were based upon a little guessing done by the State engineers. Then the highway engineers prepared real surveys of their respective States. That is what accounts for the difference. I think that is what happened in Pennsylvania, because it is certainly amazing that Pennsylvania should have estimated its needs as \$550,000 a mile, while New Jersey was asking for more than \$6 million a mile.

Mr. KUCHEL. My purpose in bringing out these facts is so that Senators may read in the RECORD tomorrow the reason for the difference between the House approach and the Senate committee approach. We shall then be in a better position to judge which method will be more effective in getting the work done.

Mr. GORE. Mr. President—

Mr. CHAVEZ. Mr. President, I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I should like to read from the needs report:

The term "needs" likewise requires explanation—

I hope I may have the attention of the junior Senator from California.

Mr. KUCHEL. From what page is the Senator reading?

Mr. GORE. I am reading from the needs report, House Document No. 120, page 1:

The term "needs" likewise requires explanation. It is a word widely used in recent years to denote construction backlog. Amounts cited as "needs" sometimes refer to the cost of complete modernization as of a given moment; sometimes they cover a

construction program stretching over a period of years.

Some estimates are based on the needs of current traffic; others take future traffic fully into account.

There are variations, too, in the specifications of design standards, and there are differences in their application—one study may permit no deviations, while another will accept large deviations or tolerances.

That illustrates total lack of uniformity. That illustrates the inequity of the Congress of the United States apportioning funds to the respective States in such a haphazard manner, without uniformity of standards. I say it would be a big mistake for the Congress to do it.

Mr. KUCHEL. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. KUCHEL. Is it not true that in the House-adopted bill the House has incorporated a provision that the Bureau of Roads shall have the responsibility of determining the standards of construction for the Interstate System across the entire country? Is that not a fact?

Mr. GORE. That has nothing to do with the question we are discussing because the language adopted by the House would provide for apportioning for the first 2 years on the basis stated and leave future apportionments to the future action of the Congress. I say the House bill provides for only 2 years' apportionment, and it is on the basis of that haphazard, inequitable treatment—

Mr. KUCHEL. It is true that the House bill does lodge responsibility in the Bureau of Roads to determine a standard; is it not?

Mr. GORE. I am not sure that is true at all.

Mr. KUCHEL. I submit to the Senator that it is true, and I wish to discuss that question. The crux of the particular section to which the Senator has been devoting his time is that the Congress of the United States ordered the Bureau of Roads to make an estimate of costs of all highways, streets, and roads in America to bring them up to a standard. That is what Congress did in 1954. What did the Bureau of Roads do? It asked the different States of the American Union to furnish it with estimates of costs. The estimates of costs, to begin with, are going to vary to some extent—

Mr. GORE. To the extent of 12 times as much for one State as compared to another.

Mr. KUCHEL. I am going to agree with the Senator from Tennessee that as to a part of the variance, I do not understand the basis for it. That is why I want to have the Senate recognize that if the Federal Government is to assume 90 percent of the cost of an Interstate System, it ought to determine whether it is going to do it on the basis of need all across the country. If so, perhaps we can improve upon the House bill and have something acceptable to the Senate rather than do what my able friend wants the Senate to do, namely, take a formula which is now in the law and try to provide for its use in determining the basis of apportionment of an Interstate System.

The proposal constitutes for the first time an objective of Federal construction—almost total Federal construction—of an Interstate System. We need to be realistic. We need to determine the basis on which the Federal Government can pay the cost of the construction. I argue that it is on the basis of need alone. I raise that question at this time, and I shall discuss it later. Let us determine what the basis will be, and determine whether that will be the basis on which the Federal Government will proceed.

Mr. GORE. The Senator has stated that the quicker the Congress can fix the standards, the quicker and better the job can be done. The bill proposes that Congress shall proceed to fix the standards. It is unrealistic for Congress to start so vast a program on the basis of apportioning to 1 State 12 times as much as it apportions to an adjoining State. I agree with the Senator that we ought to abandon any such idea.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator from New Mexico if it is not a fact that 90 percent of the cost of the Interstate System will be borne by the Federal Government, and only 10 percent by the States.

Mr. CHAVEZ. That is correct. There is a reason for that. The Interstate System will be available to take care of national defense and other national requirements having to do with the security of the Nation.

Mr. DOUGLAS. If the allocations for the initial 2 years are based upon the estimates of cost by the States, will not that furnish an inducement for individual States to make their estimates of cost as high as possible, because the higher the estimate, the greater the share of the initial apportionment they will get?

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. If the House method is followed, does it not mean that those who threw caution to the winds, and asked for the largest amounts, will get the most?

Mr. CHAVEZ. That is correct. That is why I think the Senate proposal is the sounder of the two.

Mr. DOUGLAS. I do, too.

Mr. CHAVEZ. I cannot see the justice of allocating a much larger amount to one State as compared to a neighboring State.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. Did the committee not try to draft an amendment whereby the Federal Government would pay 90 percent of the actual cost? Is it not possible, under the House version, to write such a provision into the bill? I think it is there now. Regardless of the estimates of the various States, whether too high or too low, when a project is completed, the Government will have to pay 90 percent of it. Is it not possible

to write into the law a provision that, before the contracts are awarded, the Federal Government must approve them? Could we not try to write such a provision into the bill?

Mr. CHAVEZ. I think the proposal is to carry out that purpose.

Mr. CAPEHART. If that is done, I do not think either formula will particularly be needed. Why is either formula needed?

Mr. CHAVEZ. Because I am just as much interested in getting good roads in Colorado as I am in getting them in New Jersey. I want each State to get its fair proportionate share, and not have someone in Washington determine whether or not Colorado needs a road.

Mr. CAPEHART. What I want to do is to take the number of miles in each State, regardless of which State it is, and multiply the cost per mile by the number of miles. That is the amount of money which ought to be authorized and spent, no more and no less. I do not see how it can be done on any other basis and still assure a good Interstate System.

Mr. CASE of South Dakota. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. CASE of South Dakota. I should like to say to the Senator from Indiana that some complication does arise by reason of the fact that in some States sections of roads have already been completed which will fit into the Interstate System, some of which might be more expensive than would be indicated by taking a per mile cost and multiplying it by the number of miles. Some States have a need for four- or six-lane highways. Other States have a need for two-lane highways. Some States have portions of roads already constructed, and others do not.

Mr. CAPEHART. There is no provision in the bill to reimburse States for roads which they have already built, is there?

Mr. CASE of South Dakota. No; but it makes a difference in the amount necessary to complete the system.

Mr. CAPEHART. I am speaking about the number of miles involved. If a State has half of its mileage completed, it does not enter into the picture.

Mr. CASE of South Dakota. But it makes a difference whether the roads to be built are low-cost or high-cost highways.

Mr. CAPEHART. No; because the States are not going to be reimbursed for any roads.

Mr. CASE of South Dakota. If the Senator from Indiana will listen to me for a minute, I shall try to make this point perfectly clear.

Mr. CAPEHART. I am listening.

Mr. CASE of South Dakota. Very well.

Mr. JENNER. Mr. President—

The PRESIDENT pro tempore. The Senator from New Mexico has the floor. Does he yield; and, if so, to whom?

Mr. CHAVEZ. Mr. President, I wish to yield to the member of the committee, the Senator from South Dakota [Mr. CASE], who was trying to conclude his statement.

The PRESIDENT pro tempore. It is impossible to have orderly debate if several Senators attempt to speak at the same time. Of course, under the rule, a Senator who has the floor has no right to yield except for a question.

Mr. CHAVEZ. I yield for a question; I think the Senator from South Dakota was propounding one.

Mr. CASE of South Dakota. This is my question: Is it not true that some States have completed more of their high-cost mileage on the Interstate System than others have completed? Consequently, is it not difficult to apply a straight per mile cost multiplied by the number of miles, to arrive at the need of any particular State?

Mr. CHAVEZ. Yes; the conditions in all the States are different.

Mr. CASE of South Dakota. Will the Senator from New Mexico permit me to read from a letter written by the Commissioner of Bureau of Public Roads? In the letter he refers to the character of the estimates.

Mr. CHAVEZ. I yield for that purpose.

Mr. CASE of South Dakota. Under date of May 18, 1956, I received a letter from Mr. C. D. Curtiss, Commissioner of Public Roads. I read from the letter:

You will see that there is considerable variation, as would be expected, due to differences in specifications used in different States, as well as differences in terrain, soil types, local materials, wage rates, traffic loads, and many other factors. As you know, the Bureau did not edit or otherwise alter the individual State estimates submitted.

A similar statement was made by George T. McCoy, president of the American State Highway Officials, when he appeared before our committee on February 21, and testified with respect to the estimates submitted under section 13 of the 1954 act. He said, in that connection:

Please bear in mind that this is an estimate, and not a proposed program.

The committee feels that that estimate and those unedited requests from the several States should not be frozen into law as the basis of the apportionment during the first 2 years.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield for a question?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. Is it not a fact that the very words the able Senator from South Dakota read—which were to the effect that every State is different, and every State has different terrain and different conditions—are the best reasons in the world for paying the actual per-mile cost in each State, multiplied by the number of miles?

Mr. CHAVEZ. I think that will be done. I call the Senator's attention to page 4 of the report of the Senate committee, where, in referring to the fund, this language is found:

The committee would also like to explain that funds authorized under the Senate amendment are not to be advanced to the States to construct the highways, but that such funds are to be used to reimburse the States for the work that has been performed.

Certainly a State will not build a very costly road, because the less the cost of construction the more miles of road will be built.

I read further:

Such reimbursements are made on the basis of vouchers properly executed and certified by the State officials. In this connection, it can thus be seen that apportionment of funds authorized for the Interstate System, with subsequent reimbursement to the States for their expenditures, will be made only to the extent of completing the Interstate System in the States to established standards.

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield for a further question?

Mr. CHAVEZ. I yield.

Mr. CAPEHART. Is it not a fact that we know definitely that there will be X number of miles of the Interstate System in each State, and that the cost of constructing the roads will vary in the different States, due to the terrain and other conditions existing in the States, because it will cost much more to build a road in a mountainous area where tunnels will have to be constructed than to build a road across flat country? Furthermore, is it not possible to work out a formula or language based strictly, 100 percent, upon the actual cost in each State, as certified by the Federal Government and approved by the Federal Government, before the contracts are let? Is that not possible?

Mr. CHAVEZ. It is possible, but extremely improbable.

Mr. CAPEHART. Why?

Mr. CHAVEZ. For the reason that for years and years and years the Bureau of Public Roads has been investigating and making surveys and trying to arrive at a formula. After many reports to both the House committee and the Senate committee, the Senate Committee on Public Works has reached the conclusion that the formula which has been submitted to this body is the most equitable formula, if every State wishes to be treated like every other.

Mr. CAPEHART. Is it not a fact that this is the first time the Senate has had before it a bill designating and naming the exact number of miles in each State, and therefore the situation is entirely different, as compared with the situation in the past?

Mr. CHAVEZ. I do not think so. Heretofore we have had 40,000 miles in the Interstate System.

Mr. CAPEHART. But we never had an overall plan, as we have at the moment. The map displayed in the rear of the Chamber shows the 41,000 miles—

Mr. CASE of South Dakota. Forty thousand, as designated in 1947.

Mr. CAPEHART. Yes; 40,000 miles. The map shows the 40,000 miles, and shows the exact mileage in each State. We want to build those 40,000 miles at the earliest possible time, and we want to have the Federal Government pay 90 percent of exactly what the roads cost—no more and no less. We also want the Federal Government to approve the contracts before they are let.

Mr. GORE. That has been the practice since 1944.

Mr. CAPEHART. In connection with the estimates, we must realize that engineers do make errors. Sometimes the estimates are too high; sometimes they are too low. In the case of Indiana, possibly the estimate is too high. Evidently in the case of South Dakota the estimate is too low, because the estimate for South Dakota was \$101 million, whereas under the Gore formula, South Dakota will get \$286 million. So evidently the estimate for South Dakota was much too low—almost by three times. So it is that we know that sometimes the estimates are either too high or too low.

Why cannot we handle this matter on a scientific, businesslike basis, instead of on the basis of the Senate committee version, under which the authorizations for 31 States would be increased and the authorizations for 17 States would be decreased?

Mr. CHAVEZ. One thing I love about America is the right to disagree.

Mr. CAPEHART. Certainly.

Mr. CHAVEZ. I think the committee tried to approach this matter on a scientific basis.

Mr. CAPEHART. I do not question that at all.

Mr. CHAVEZ. The red lines on the map to which the Senator from Indiana has pointed indicate roads which have been in existence since 1944.

Mr. CAPEHART. Yes.

Mr. CHAVEZ. All we are trying to do is accelerate construction of the existing Interstate System.

Mr. CAPEHART. Yes; and we are trying to construct each and every mile shown by the red lines on the map.

Mr. KERR. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield to my good friend, the Senator from Oklahoma.

Mr. KERR. I think there is considerable confusion about appropriations, in connection with this matter.

In the event the pending bill shall be passed, and if it shall then be followed through by appropriations to implement the authorizations provided by the bill, the able Senator from Indiana desires to know why it is that the Senate committee version would increase the amounts for 31 States, and would decrease the amounts for 17 States.

Mr. President, the Senate committee version of the bill is based on an allocation formula which, for the most part, has been in effect for 40 years. In 1954, when the Congress increased the authorizations and appropriations for the Interstate System from a flat amount of \$25 million to \$175 million, the argument was made—and evidently it was made with some merit, because it was accepted by the Senate—that the historic formula of allocations should be amended, in order to provide greater impetus to the building of the Interstate System on a general basis, and in a manner which would carry it forward in all the States more nearly in proportion to their needs.

So, whereas the historic formula had divided the Federal funds among the States one-third on the basis of population, one-third on the basis of area, and

one-third on the basis of rural mail route roads, the formula was changed so that, so far as the Interstate System is concerned, under the law in effect for the biennium ending June 30 this year, it is now two-thirds on the basis of population, one-sixth on the basis of area, and one-sixth on the basis of rural mail route roads.

The change about which the Senator from Indiana complains was not brought about by any new action of the Public Works Committee. The basis of allocation used by the committee is that provided under existing law, as enacted in 1954, for the Interstate System.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. GORE. The distinguished Senator from Oklahoma is an eminent member of the Senate Public Works Committee, whose interest in good highways is known all over the country, but more particularly in his State, because, as Governor of the great State of Oklahoma, he instituted a wise and vigorous highway improvement program.

I preface my question with that qualification of the Senator in that connection because I want to ask him if during the past 2 years he has heard a single complaint as to the operation of the apportionment formula for the Interstate System which he has just described?

Mr. KERR. I have heard none. If there were a basis for complaint, the complaint would not come from the heavily populated States, because the interstate money now is allocated two-thirds on the basis of population.

The formula in the bill now before the Senate is therefore not a new formula. It is the formula of existing law, which amended a formula which had been in effect for 35 or 40 years. The present formula was developed on the basis of that history. The Senate committee, in its version of the bill, bases the bill on that formula.

The new formula before the Congress is the one developed by the House. It was not developed on the basis of need. There has been before no committee evidence establishing the need for interstate systems as between the States, in such a way as to justify the formula in the House version of the bill.

The formula in the House bill was not developed on the basis of population. It is the result of "guesstimates."

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. I shall be delighted to yield in a moment. I wish to complete my preliminary statement.

The formula in the House bill is based upon guesses, not made in response to questions by the Congress, not made in hearings before congressional committees, where cross-examination could have been had, but on the basis of private correspondence between the Clay committee and the highway commissions of the several States. That is the reason why a law basing allocations upon such a formula would be so unjust.

The Senator from Indiana [Mr. CAPEHART], the Senator from California [Mr. KUCHEL], and the Senator from Connect-

icut [Mr. BUSH] have very ably and aptly pointed out that the Federal Bureau of Roads will not give a State any more money than is represented by contracts which have been made, approved, and completed. That is true; but if the House formula were adopted, a few of the States would receive disproportionate amounts of the vast highway building fund in the first 2 years of its availability. Against such allocations, those States could develop projects, make contracts, and have them approved by the Federal Bureau of Roads, and they could be paid for. On the other hand, 31 of the States would be proportionately slowed down in their highway building programs, in a manner which would result in the gravest injustice, upon the basis of an operation which at no time in the history of the Congress has been approved or permitted to prevail.

Mr. BUSH and Mr. CAPEHART addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield; and, if so, to whom?

Mr. KERR. I yield first to the Senator from Connecticut. Then I shall yield to the Senator from Indiana.

Mr. BUSH. I ask the Senator from Oklahoma if it is not true that the House formula for apportionment, to which he has objected, has built into it a self-correcting device for adjustment.

Mr. KERR. No; it has not.

Mr. BUSH. I invite the Senator's attention to page 15 of House bill 10660, which is the bill before us. Under the heading "Studies and Estimates; Use of Revised Estimates for Apportionment Formulas," it is provided that the Secretary must make a reestimate and a reapportionment after the first 2 years. It is perfectly clear that probably no formula we might adopt will be absolutely satisfactory to everyone for the first 2 years. However, if we can get started—

Mr. KERR. If the Senator will read the last lines on page 15, he will see that the changes are not self-executing.

Mr. BUSH. That is true.

Mr. KERR. That was the question the Senator asked me.

Mr. BUSH. No; I said self-correcting. The provision on page 15 is for the correction of the formula. The Senator has made a good point about the formula not being self-executing.

Mr. KERR. How could it be self-correcting if it were not self-executing?

Mr. BUSH. The formula can be corrected.

Mr. KERR. How?

Mr. BUSH. By the reestimate provided for in this section.

Mr. KERR. No; by the reestimate upon approval by the Congress. Let me say to my able friend from Connecticut that 31 of the States would be in one position. If they are protected by the present formula, which cannot be changed except by action by both Houses of Congress, then they are in one position if they surrender that sanctuary, and in another if, in order to get justice, it is necessary to have action by both Houses of Congress.

If the Senator will read page 15 of the bill he will read the words:

Upon approval by affirmative resolution of the committees of the Senate and the House of Representatives to which referred, the Secretary of Commerce shall use such estimate in making apportionments for the fiscal years ending June 30, 1959, June 30, 1960, June 30, 1961, and June 30, 1962.

Does the Senator call that a self-correcting and self-executing provision?

Mr. BUSH. I did not call it self-executing.

Mr. KERR. I say to my able friend there is no doubt in my mind that the Committee on Public Works and the Senate itself would be raising an unprecedented hue and cry to correct the injustice which would prevail, but they would be impotent in the matter until and unless both Public Works Committees and both Houses of Congress, by appropriate legislation, changed the situation.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. Why leave a formula with a traditional history of operation of 40 years, with an amendment made 2 years ago to meet the very purpose discussed by the able Senator from Connecticut, to give more highly populated States relief, in that two-thirds of the allocation of the money is now made on the basis of population? Why leave that formula?

Why leave that stable foundation of operation for the precarious and insecure situation in which 31 States would find themselves if they abandoned it or permitted it to be taken away from them, and if then the only chance they could possibly have to recover a part of it would be upon affirmative legislative action by both Houses of Congress?

Mr. BUSH. If the question is addressed to me, I should like to answer it. It is because under the formula which the Senator proclaims the Interstate Highway System would never be built. The whole reason for the Government to guarantee 90 percent of the cost to the States is to effect the concept of a national system of interstate highways.

I wish to say one more thing to the Senator, who has been very indulgent with me on all occasions, and always very generous in yielding to me: So far as the question of corrections is concerned, I believe the Senator from Oklahoma has a good point when he talks about the finality of the situation. I should like to see him come up with a suggestion as to how it could be made final, but giving effect to a reappraisal of the costs after the first couple of years. I believe that almost anyone of a reasonable frame of mind will agree that, after the first couple of years, there will probably have to be some recorrecting of the estimates which have been made.

We have already seen in the House bill some apparent inaccuracies in the estimates. Therefore I do not believe there is much doubt in anyone's mind that we must come up with something after 2 years to correct the apportionments, so as to make the apportionments on the basis of need.

However, from listening to the Senator from Oklahoma, I am a little surprised that he would, in effect, eliminate

the Senate committee, because he has always cautioned me not to be too trustful with respect to the reports submitted by Government agencies downtown, including even the Bureau of Public Roads.

I do not understand why he objects to this particular feature, which gives the Senate Committee on Public Works an opportunity to review the matter.

Mr. KERR. My faith in the committees of the Senate is just as great as it has always been. I must say that their action in bringing the pending bill to the Senate on the basis of the historic traditional allocation is one reason why I feel that I am entitled to continue to have confidence in the committees.

Let me say to the Senator that the procedure set up in the bill is a net to catch the unwary and inexperienced and incautious. To begin with, it makes the allocation on the basis of estimates which have no established foundation before the Congress.

Mr. BUSH. Is the Senator referring to the Gore formula or to the House formula?

Mr. KERR. I am referring to the formula which implements estimates which are without recognized foundations.

In the second place, it makes it a continuing thing until Congress changes it. The Senator from Oklahoma knows that the present formula will need looking at. Congress will have a chance every 2 years to look at it. The Senator from Connecticut knows, on the basis not only of the record on this bill, but with reference to every piece of highway legislation passed in the past 20 years, that the House will always be ready to increase the proportion of allotments with reference to population. The House will always be ready to change the formula of distribution so as to give greater significance to the population phase in the allocation formula.

Therefore, we will not be lacking any opportunity to reappraise the matter on the basis of experience. However, in the meantime, we have the assurance that we are proceeding on the basis of allocating this money in accordance with a tried and proven formula, which has only recently been revised so as to give a tremendously increased amount of significance and amounts of money to the States on the basis of population.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BUSH. The Senator says it is a tried and proven formula. It is a tried and proven formula, I would suggest to the Senator, only to the extent that it divides up a certain amount of money so that no one can say he received more or less than he is entitled to under the formula.

Mr. KERR. What are we talking about except dividing money?

Mr. BUSH. If the Senator will permit me to finish this thought, the point is that the formula was devised to take care of the allocation of the Interstate System when we had \$175 million a year to put into the Interstate System, in the 1954 bill.

Now what the Senator from Oklahoma and the Senator from Tennessee seek to do is to make that formula, which was designed to divide up \$175 million, apply to a national system of interstate highways which is going to cost the Federal Government in the neighborhood of \$25 billion, the whole purpose being to complete the system of interstate highways and to give the States 90 percent of whatever it takes to complete that system. The formula was never designed to meet that kind of contingency. It could not possibly do it, because under the Senator's formula he will find that many States will have a great amount of money left over. It will stay in the Federal Treasury and will never be spent. In the meantime we will overtax our people to the extent of \$4½ billion, and most of that money will stay in the Treasury unspent. That is not the purpose of raising the taxes under the tax provisions of the bill.

Mr. CHAVEZ. I should like to interrupt the Senator from Connecticut to say that the Senator from Oklahoma is certainly correct when he says it is a tried and proven formula. All the Senator from Connecticut has to do is to turn around and look at the red lines on the map. They illustrate what the formula has done. It is right before him.

Mr. BUSH. I hesitate to disagree with my distinguished chairman, for whom I have the utmost respect, but to complete the system we have to go farther than we have gone.

Mr. CHAVEZ. The roads have been built to the extent indicated. One can travel from Connecticut to San Francisco.

Mr. BUSH. I may have misunderstood. I understand that the projected system is shown in red. If I am mistaken in that—

Mr. CHAVEZ. Every red line on the map represents a road. What we are trying to do by this bill is to improve the roads.

Mr. BUSH. That may be. I do not wish to question the Senator, but my understanding is that there is going to be \$25 billion worth of improvement.

Did the Senator from Oklahoma wish to address a question to me?

Mr. KERR. I wanted to reply to the Senator's remarks. I realize how treasured is the opportunity to reply, and I was trying to conform to his request.

Mr. BUSH. I appreciate the Senator's courtesy, and I will end my comments and my questions at this point and will listen with interest to the Senator's reply, as I always do.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. Let me address myself to what the Senator from Connecticut has said.

The Senator from Connecticut seeks to substitute a grab bag for a carefully worked-out formula. The Senator said the formula in the Senate committee bill would result in having \$4½ billion in the Treasury that would never be spent.

He could not have been more mistaken, because he was here 2 years ago when the formula applying to the Interstate Sys-

tem was changed. He participated in changing it. Last year the Senator himself sought by legislation to provide authority whereby the States would not even have the protection they have under the House bill. The Senator sponsored a measure on this floor which would have turned all the money over to the Secretary of Commerce to be allocated as he saw fit, without any guaranty that any State would receive a single dollar. Now the Senator's posture is that we should allocate the money for the first 2 years on a basis, as it has been aptly set forth, which would give New Jersey \$6½ million a mile and Pennsylvania \$500,000 a mile, and to Connecticut an enormously disproportionate amount as compared with New Mexico or Oklahoma or Tennessee or South Dakota or North Dakota. What the bill which is before the Senate seeks to do is to see to it that all the States, under this great new formula, get off to as nearly an equal start as may be possible in the light of present knowledge and past experience.

We are aware that efforts will be made 2 years from now to change the formula, and we are aware that when experience demonstrates that changes are needed, Congress will make them. But, in the meantime, we shall not have discarded and thrown away the foundation upon which this formula has been built, namely, the allocation as now provided by the law.

Mr. BUSH. Mr. President, will the Senator from Oklahoma permit me to ask him one more question?

Mr. KERR. Yes.

Mr. BUSH. Does the Senator believe that in order to finance this system the Federal funds should be allocated on a basis of need, assuming we can agree on a specific way of finding out what the relative needs are? Will the Senator say with me that he believes that is the way to allocate these funds for the Interstate System, or does he not subscribe to that?

Mr. KERR. If the Senator from Connecticut will agree with me on what the words mean, the answer is "Yes."

Mr. BUSH. The Senator from Indiana has given a pretty good definition of "need" this morning. It is the cost per mile multiplied by the number of miles.

Mr. KERR. But the point is that this bill makes it possible for Oklahoma to get an equal start with Connecticut in meeting her needs. On the basis of the House bill, her proportion would be cut down greatly, Pennsylvania's would be cut down greatly, Illinois' would be cut down greatly, and the proportions of some other States would be greatly stepped up.

Mr. BUSH. What really disturbs the Senator, then, is the allocation of the funds in the first 2 years. Is that correct?

Mr. KERR. That is the question now before us.

Mr. BUSH. That is one of the questions.

Mr. KERR. And that is the thing we are moving into.

Mr. BUSH. If we can modify that system of allocation for the first 2 years so as to get what the Senator would con-

sider a more equitable, indeed, an equitable distribution of funds in the first 2 years, would the Senator then be satisfied that the general allocation provisions in the House bill should be adopted?

Mr. KERR. I do not think the allocations in the House bill can possibly be adopted by men conscious of their responsibility, for the reason that there is no evidence before the Congress to support the allocations provided in the House bill.

Mr. BUSH. Then, am I correct in assuming that we shall have to consider that the Senator discards the idea of needs?

Mr. KERR. Not at all. I stand firmly on the basis of allocation in accordance with the needs of 48 States instead of the needs of less than one-third of the States.

Mr. BUSH. But the Senator's formula certainly does not allocate funds on the basis of need.

Mr. KERR. Does the Senator say that when we give two-thirds of the money on the basis of population, it is of no significance, and that when we limit the allocation on the basis of area to one-sixth, and the rural roads to one-sixth, there is any basis of need established in the allocation?

Mr. BUSH. Some of the estimates which are set forth in the House table appear to be obviously too high and some obviously too low. Nevertheless, it is the table which the House used in connection with the bill, and if we average it out it may not be too bad. But on basis of that table and those estimates, if we apply the Senator's formula, it will be found that there will be left over in some 30 States about \$4,800,000,000, based on those estimates, and there will be approximately \$4½ billion underallocated for a group of 18 or 19 States, including the District of Columbia.

Mr. KERR. I wish to say to the Senator that I could not say anything more effective against the allocation in the House bill than the Senator himself has said. He says that some are too high, some are too low, but it will average out pretty well.

Mr. BUSH. But the bill itself has a device in it for correcting estimates which may be wrong.

Mr. KERR. In that statement, the Senator is in error. Congress could pay the allocation without the language in the House bill. The language in the House bill is entirely futile and ineffective in the absence of action by the Congress.

Mr. BUSH. By the committee.

Mr. KERR. By the Congress. The Senator has not read the provision. The Senator has read only the first part of it.

The allocation for the first 2 years would be ad infinitum until the House itself agreed to change it. There is nothing in the bill or in the record to give any Member of the Senate any hope that that time will ever arrive.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. MARTIN of Pennsylvania. The distinguished Senator from Oklahoma was a member of the committee when the present formula was adopted in 1954. Is that correct?

Mr. KERR. That is correct.

Mr. MARTIN of Pennsylvania. That formula would give the Senator's own great State of Oklahoma less than the amount given under the previous formula; but we wanted to devise a formula which would push ahead the construction of the roads throughout the Nation in accordance with the needs. Was that not the idea?

Mr. KERR. That was the basis of the recommendation of the formula. I say to my good friend from Pennsylvania that that is the best change in the formula of 2 years ago, with nothing like, however, the vigor of the opposition, because then the change, when effected, would be the result of an act of Congress; but it would be valid until Congress itself again changed it.

The proposal of the House which is now before the Senate would entirely scrap every vestige of the 40-year formula, including that which was made 2 years ago.

I may say to the great Senator from Pennsylvania that on the basis of the interest of his State, he helped to lead the fight to amend on the floor. The Senator from Tennessee [Mr. GORE] went along with the Senator from Pennsylvania, because they both thought it was a just proposal, even though it would cost their States something in allocation.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator further yield for a question?

Mr. KERR. I yield.

Mr. MARTIN of Pennsylvania. Was not the change made because we had in mind the densely populated areas and the fact that people from the sparsely populated areas would travel in States like California, Pennsylvania, Connecticut, New York, and Illinois, where the population is dense, and where the cost of highway construction is much greater than it is in the less populated States?

Mr. KERR. The Senator from Pennsylvania is correct.

Mr. MARTIN of Pennsylvania. Is it not true that the House bill really only makes an allocation for 2 years, and that its formula is based very much on guesswork?

Mr. KERR. If I read the allocation in the House bill correctly, it is permanent.

Mr. MARTIN of Pennsylvania. It is permanent for 2 years.

Mr. KERR. And until a change shall be approved by the committees of both Houses.

Mr. MARTIN of Pennsylvania. Congress has it in its power to determine how the various allocations shall be made. Is it not much better to have an exact formula, such as is contained in the Gore bill? Then it can be changed from time to time, if Congress so desires. Is not that advisable, and is it not a more logical method of procedure?

Mr. KERR. I beg the Senator's pardon; will he repeat his question?

Mr. MARTIN of Pennsylvania. Is it not more logical to have an exact formula as the plan of procedure, a plan which Congress can change from time to time if it seems advisable to change it?

Mr. KERR. I see no other basis whereby a Senator from any State can afford to vote for a bill except on the basis that he knows what his State will get.

Mr. MARTIN of Pennsylvania. No one knows how the money will be expended until the work has actually been done and has been approved according to the specification which may be set forth by the Bureau of Public Roads in the National Capital. Is not that correct?

Mr. KERR. The Senator is correct.

Mr. MARTIN of Pennsylvania. If we use this formula, and some State has its entire mileage of the Interstate System completed, then cannot the money be allocated to other States, even if the formula would be permanent?

If we keep this formula, and some States might have their entire system completed, then the money which is left in the almost \$25 billion fund could be allocated to other States, where the need for roads existed?

Mr. KERR. There is not the slightest doubt that the Senator from Pennsylvania is correct about that. In my judgment, we will not wait until that time to change the formula. I believe we will change the formula 2 years from now, but we will not change the solid foundation upon which it now rests, whereby each Senator may know what his State will get. We will be going forward under a formula developed over a period of 40 years, after having made a substantial revision in 1954 for the benefit of the more densely populated States.

If the experience demonstrates, as has been indicated by the Senator from Connecticut, that some States have been getting more than they need in accordance with their road-building program and other portions of the interstate system, 2 years from now there will be a revision made to move in the direction of greater aid.

But what the House bill does is to surrender the authority for the next 2 years, and to provide that a few of the States will have an opportunity for an enormous surge forward in their interstate systems, while the other States of the Union will be proportionately curtailed, retarded, and held back. Among those would be the State of the great Senator from Pennsylvania, and also the State of the Senator from Oklahoma.

Mr. MARTIN of Pennsylvania. If I may be permitted to make this comment, I wish all Senators would examine the tables which the distinguished junior Senator from South Dakota [Mr. CASE] placed in the RECORD on May 23. Consider, for example, the matter of two-lane surfacing, which should be almost uniform throughout the Nation. However, the cost runs from \$25,000 a mile to \$160,000 a mile. That shows that the estimates were not edited, as the Senator from South Dakota has already stated on the floor. This is a matter which requires our deep study. I think it is a

matter which should be reviewed probably every 2 years.

I thank the Senator from Oklahoma for yielding to me.

Mr. KERR. Mr. President, I should like to call the attention of the Senator from Connecticut to the provision of the bill on page 36, line 17, subsection (c):

Any amount apportioned to the States under the provisions of this section unexpended at the end of the period during which it is available for expenditure under the terms of subsection (b) of this section shall lapse.

So in the event the program goes forward on the basis that the formula will give some States more than they need, but they do not use it, the allocation or apportionment to that State will lapse. It will revert to the fund, and that will be adequate evidence for an effort to be made by the distinguished Senator from Connecticut and others then to seek a revision in the allocation, which will prevent a recurrence of such an experience.

Mr. BUSH. Mr. President, I am sorry but I did not hear the first part of what the Senator has just said.

Mr. KERR. The Senator from Connecticut had spoken a while ago about the unhappy situation that \$4,500,000 might never be used.

Mr. BUSH. Yes.

Mr. KERR. I simply remind the Senator that subsection (c) on page 36 of the bill would prevent that.

Mr. McNAMARA. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. KERR. I yield.

Mr. McNAMARA. After hearing the colloquy among Senators regarding the difference between the two bills, it seems to me there is very little difference. I think both the Senate and the House recognized that it is hard or almost impossible to devise a definite formula, one which does not require a review from time to time. Both bills now contain provisions for a review. The language is a little different. The Senate committee bill provides for a review "from time to time." The House bill provides that it shall be at the end of a 2-year period. Beyond that, what substantial difference is there between the two bills?

Mr. KERR. Beyond that, so far as the authority of Congress is concerned, there is no difference.

The advantage sought to be gained by some and avoided by others would occur in the 2-year period. The position of those who advocate the provisions of the bill as prepared by the Senate committee is that on the basis of our experience and the give and take between the two Houses, this is the most equitable formula which Congress has yet been able to devise.

Rather than to have a formula for a 2-year period and then to make a new program on the basis of experience, our position is that we should stay with the formula we know about and have tried, the law we amended 2 years ago, to meet the very need which the Senator from Connecticut has been talking about, rather than to take one about which we know nothing.

Mr. McNAMARA. Mr. President, will the Senator yield further?

Mr. KERR. I yield.

Mr. McNAMARA. Is it not pretty well agreed that in the first 2-year period all the States will have all the money they can possibly use with which to start the program?

Mr. KERR. I do not think so.

Mr. McNAMARA. It seems to me the hearings before the committee well established that all the States would have enough money to get started on the program regardless of the formula. If the formula is as good as the Senator and I think it is, because of the years over which it has been developed, will it not be the department that will ultimately prevail? There is nothing in the House bill which says that the formula cannot be followed. I think the difference under discussion is the difference between the provision that at the end of 2 years there shall be a review and the provision that there shall be a review from time to time.

Mr. KERR. My concern is how the money will be allocated after the review.

Mr. McNAMARA. If the Senator should contend that there would not be sufficient money for all the States to use during the first 2 years, he would have a good point, but I am sure there will be enough money to enable all the States to get started.

Mr. COTTON. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER [Mr. LAIRD in the chair]. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. KERR. I yield.

Mr. COTTON. I should like to ask the Senator from Oklahoma two questions. One concerns a matter which I think has already been very well brought out, but which should be emphasized, for I believe we cannot give it too much emphasis.

Under the House version of the bill, even though it is provided that after 2 years there shall be a review and a reapportionment, the fact remains, does it not, that there must be approval by the Public Works Committees of both Houses of Congress, and considering the fact that in the House of Representatives many States are represented on that committee, some with a stronger representation than others—

Mr. KERR. Numerically.

Mr. COTTON. Numerically—is it not a fact, from the Senator's experience in legislative bodies, that even though those concerned may have the best intentions in the world—there is bound to be some kind of compromise, which means that at least some of the inequities and inequalities will be frozen into the law for 13 long years?

Mr. KERR. The Senator from Oklahoma fears it so greatly, and he feels so keenly the injustice of the formula, that he thinks it would be a legislative tragedy if the Senate permitted the bill to become law in the language regarding allocation as provided by the House.

Mr. COTTON. I am glad to have the Senator's assurance. As I know the Senator will recall, we agreed on that

point in committee. That is the reason why the Senator from New Hampshire previously supported, and supports now, the Gore proposal in preference to the House bill.

Now I should like to ask a second question, at which point we may come to a parting of the ways. Why does the Senator from Oklahoma feel it is essential that a formula be used in the Interstate System? Why could we not make a start, always retaining the control in the hands of the Congress, with a system of having estimates made and contracts let under the supervision of the Secretary of Commerce and the Bureau of Public Roads, subject to review by the Congress, thus avoiding the situation of being compelled to consider a formula? There is no formula which can be exactly fair and correct. In other words, whatever formula we may try to adopt, whether it be the formula in the Gore bill, some new formula suggested by the able Senator from South Dakota, some new formula which might be suggested by the Senator from Oklahoma, or some other formula. Senators from some States—and there would probably be a good many of them—would find the formula did not result to the advantage of their particular States. Why tie ourselves to a 2-year formula?

Mr. KERR. I should like to answer, in two parts, the question of the Senator from New Hampshire, whose affection and respect for the people of his State I know. No. 1, in the absence of a formula, the Senator from New Hampshire might go back home and tell the people of his State about the great highway bill we passed, and the many billions of dollars which are to be spent on the development of an Interstate System, and then have the unhappy experience of seeing 2 years go by and not a dollar spent either in New Hampshire or in Oklahoma—which would be a matter, I am sure, of as grave concern to the Senator from New Hampshire as it would be to the Senator from Oklahoma.

Another reason is that the highway assistance program is one of the few remaining definite recognitions by the Federal Government of the sovereignty of the States, and it is one of the most significant program wherein the sovereignty and the identity of the States are recognized and preserved.

Although the Federal Government, under the Interstate System as proposed by both Houses, will be putting up 90 percent of the money, the roads in the State of New Hampshire and in the State of Oklahoma will still be built under the control of the State highway departments of those States. The program entered into will have to be initiated with the agreement of the State government in Oklahoma, through its highway department, and the State government of New Hampshire, through its highway department. On the basis of the Senator's suggestion, as I understood it, that right of the State would be either completely forgotten or wiped out, and the program would be one wherein the Federal Bureau of Roads would be completing high-

ways in the State of New Hampshire, retaining title thereto, fixing access to and from those roads, and controlling the program in a way which would create revolt in that stronghold of independence and States rights known as New England, which I have admired for many years. I want to say to the Senator from New Hampshire I know that would be the situation in Oklahoma.

Those are the two reasons why I think a formula is necessary.

Mr. COTTON. I am sure the Senator from Oklahoma must have misunderstood my question, because my question did not contemplate for one single instant that the Bureau of Public Roads or any other Federal agency should construct highways in the States. I do have a strong feeling that the bill should provide that a proportionate part of the Interstate System in each State shall be built every year.

Mr. KERR. That is what the formula in the bill provides.

Mr. COTTON. That is correct, and I think it should be retained. After all, this applies only to the Interstate System. The formula for the other phases of the program is generally adequate, but in the Interstate System there may be wide differences in the cost of highways. In one State it may cost much more to buy the right-of-way because they go through a thickly populated section, where high real-estate values prevail. In another State, perhaps the land may be purchased at lower prices but the grading costs might be greater.

It seems almost impossible for the human mind to devise a formula which will work satisfactorily 2 years, 4 years, or 10 years from now, and under which the varying conditions in the States can be handled properly. But in having a proportionate share of the highways built in each State each year, why could not we require from the start that the States submit their costs and their contracts, so there could be approval by the executive department and by the Congress each year? Why must we select an artificial yardstick—and, as the Senator from Oklahoma knows, I favor the yardstick provided in the Senate version of the bill—when from the start we know that the yardstick at best is artificial.

Mr. KERR. I do not know that it is an artificial yardstick. I realize that no legislation has yet been devised—it may be because the Congress has not seen fit to let the Senator from New Hampshire and the Senator from Oklahoma devise it—

Mr. COTTON. I meant to say an arbitrary yardstick, rather than an artificial yardstick.

Mr. KERR. Yes. But under the bill the contracts must be approved by the Commissioner of the Bureau of Public Roads. I believe that if we had no formula of allocation—which would mean that there would be no certainty of allocation to the States—we would authorize the greatest highway building program in history, and then would say to the Executive. "This money is yours; spend it where you wish." I think the Executive now has too much pressure on him, because of our having delegated too

many powers, rather than too few, to the Executive. I cannot think of a more revolutionary delegation of authority, nor can I think of one which would be more disastrous for many, than for us to authorize this program and provide the necessary funds, and then say to the Executive, "You build the roads where you wish."

Mr. COTTON. Will the Senator from Oklahoma permit a further observation?

Mr. KERR. Yes.

Mr. COTTON. In the State of Oklahoma there are a number of miles of the Interstate System, are there not?

Mr. KERR. That is correct.

Mr. COTTON. And in New Hampshire there are a certain number of miles of the Interstate System. Those miles of road are known. If the bill were to provide each year for the construction of one-thirteenth of the mileage in the State of Oklahoma and one-thirteenth of the mileage in the State of New Hampshire, at the lowest possible cost, with both State and Federal authorities checking the contracts, would we be delegating to the Executive any arbitrary or tyrannical power?

Mr. KERR. I say to my good friend, the Senator from New Hampshire, that now he has included a new provision in his proposed allocation formula. The one he suggested a moment ago did not contain the provision that the Executive build one-thirteenth of the roads within each State each year; the able Senator from New Hampshire did not give me the benefit of his thought in that connection until just this moment.

Mr. COTTON. I intended to make that clear. The Senator from Oklahoma said that the Gore bill already provides that a proportionate part shall be built each year.

Mr. KERR. The Gore bill provides that a proportionate part shall go to each State each year. But I remind the Senator from New Hampshire that although the present law authorizes 40,000 miles of the Interstate System, in the Senate version of the bill we make provision for an additional 2,500 miles, and we do not know where they will be constructed. In my judgment this program will not be underway for more than 2, 3, or 4 years before provision will be made for the addition of substantial numbers of miles to the Interstate System; and then the allocation formula the Senator from New Hampshire suggested just now would have to be revised.

Mr. COTTON. But each year there could be built in each State that year's proportion of what was then known to be the program; and if it were necessary for it to be extended, that could be done.

I think I agree with the Senator from Oklahoma; but I am trying to explore the possibilities of a more practical way to go about this matter, without the great drawback that at the outset of the program, certain States will receive much more of the "frosting," so to speak. Whereas, under the House version of the bill, certain States are to receive much of the "frosting," the distinguished Sen-

ator from Oklahoma and the Senator from New Hampshire find that their States will not receive much "frosting" and not much cake either.

The fixed formula of the Gore bill, which I stand ready to support, is far better than the haphazard estimates, based on nothing, which we find in the House version of the bill. Under the Gore bill, certain Senators will find, however, that the States of other Senators will get more of the "frosting." No doubt that situation will be taken care of later.

I appreciate the patience of the Senator from Oklahoma, but I should like to explore the possibility of setting up an arrangement not based on an arbitrary formula which we know will have to be revised, and which at the outset will put some Senators on the spot, and will hold out to the States of other Senators hopes which will not eventually mature.

Mr. KERR. I say to the Senator from New Hampshire that when he finally got around to suggesting an alternative formula, it was an arbitrary one, and presupposed that each State would be ready each year to match one-thirteenth, whereas we cannot predetermine for a certainty that that would be the case.

Furthermore, in connection with this formula, I remind the Senator from New Hampshire that it did not originate in the Gore bill. The bill approved by the Senate Committee on Public Works, to which the Senator from New Hampshire has referred as the Gore bill, merely provides for a greatly expanded program of Interstate System highway construction on the basis of the formula now in the law. That formula is not a new one. It does not originate in the Gore bill. The Gore bill provides authorizations of funds for allocation on the basis of the formula now in the law. As the Senator from New Hampshire knows, that formula is the result of legislative compromise extending over a period of nearly half a century. We may be certain that next year an effort will be made to change it, and the effort may succeed. But if it does, it still must result in a formula which, so long as it is in operation, will be arbitrary.

Mr. COTTON. But that formula was not devised for the program on the Interstate System that we now envision.

Mr. KERR. But it was devised 2 years ago by the Congress, when the Interstate System allocation was increased approximately 700 percent—namely, from an annual authorization of \$25 million to an annual authorization of \$175 million. If the Senator from New Hampshire will go back and read the RECORD, he will see that at that time able Senators, in discussing the new proposal, said the Interstate System must be built, and that the program under it would continue to expand by leaps and bounds, and that they wished to arrive at a formula which would be more nearly equitable than the formula previously used. The Congress did that. It seems to me that the thing to do is to try it. It is the law. Once we surrender it, the Senator from Oklahoma and the Senator from New Hampshire will find that it

will be a long, long time before they will get any of it back.

Mr. CHAVEZ. Mr. President—  
The PRESIDENT pro tempore. The Senator from New Mexico.

Mr. KUCHEL. Mr. President, will the Senator from New Mexico yield to me, to permit me to make a brief statement?

Mr. CHAVEZ. I shall yield, but before yielding I wish to make a very brief statement at this point.

A little while ago I sent an amendment to the desk. I hope it will be possible to obtain a vote on that amendment this afternoon. The amendment relates to the so-called Davis-Bacon Act.

When the road bill was before the Senate in 1955, the report of the committee contained the following language relating to the Davis-Bacon Act:

The committee recommends that the provisions of the Davis-Bacon Act apply to all construction projects on the National System of Interstate Highways.

It was not to apply to local highways.

This act now applies to contracts for school, hospital, and airport projects constructed with Federal aid funds.

There is very little difference between Federal aid funds for a hospital or school and Federal aid funds for highways.

It is believed that the provisions should apply to projects on the Interstate System, but that some difficulty might be experienced should the provisions apply to the Federal-aid primary and secondary projects, many of which are located in rural and isolated areas, or constructed by State, county, or local governments under force account.

The same reasoning applies to the amendment which I have offered. It is my hope that the Senate may reach a vote this afternoon on my amendment.

I now yield to the Senator from California.

Mr. KUCHEL. Mr. President, in line with what the able Senator from New Mexico has said, it was my understanding that the majority leader intended to ask for a controlled-time situation tomorrow, pursuant to a unanimous-consent agreement under which the various amendments would be considered and voted upon.

Let me say specifically that I join with my friend from New Mexico in sponsoring the amendment which he offered earlier today. I desire to speak briefly in favor of that amendment. However, I had intended to delay that comment until I was reasonably sure that there would be a vote on it; and I thought the vote probably would not come until tomorrow, in accordance with the suggestion which I have heard.

Is the acting majority leader able to tell me whether or not it is contemplated that a unanimous-consent agreement will be entered into?

Mr. GORE. Mr. President, as I understand, a definite agreement has not yet been reached between the majority leader and the minority leader as to when the vote shall come. As the distinguished senior Senator from New Mexico has suggested, it is hoped that at some time later in the day a proposed unanimous-consent agreement may be submitted, with the approval of both the

majority leader and the minority leader. However, it is intended that general debate on the pending measure shall proceed, pending the consummation of such an agreement.

Mr. KUCHEL. I thank the Senator.

Mr. President, the question before the Senate is undoubtedly the most momentous domestic issue which the present Congress thus far has been called upon to consider. The issue is whether or not the Government of the United States should undertake, to the extent of 90 percent of the cost, the construction of a modern and efficient 40,000-mile Interstate Highway System in America.

As has been indicated earlier, over a long period of years the Government of the United States has been interested in the development of highways, streets, and roads in this great land of ours. From time to time the Congress of the United States has adopted formulas under which moneys were authorized to be appropriated, and under which the Federal Government would pay a portion of the construction on all types, or almost all types, of public roads.

However, the particular issue before the Senate today concerns the Interstate System. That issue was crystallized when, about 2 years ago, unanimously a Presidentially appointed study commission represented to the Congress and to the people that there was an urgent pressing need for Congress to undertake the construction of an Interstate Highway System in America.

That Presidentially appointed commission was headed by Gen. Lucius Clay. Its membership consisted of able American citizens from all segments of our economy, and in a very real sense it was a nonpartisan advisory body.

The commission demonstrated the urgent need of an Interstate Highway System, based upon four compelling reasons. It pointed out that the military needs of the people of the United States in this thermonuclear age demand an Interstate System upon which rapid transportation of the military can be made available from one corner of our land to the other. By the same token, the commission indicated that the needs for the civilian defense of the people of the United States require the construction of such a modern Interstate System within the next 10 years.

The commission went on to point out that in its judgment we need an Interstate System because of the manner in which our economy has grown. In this Nation today we operate our economic machine in very large part through constant use of the highways of America.

The commission gave a fourth reason which will appeal to most of the people of the Nation. It concerns itself with the social aspect of the problem. In 1955, almost 40,000 people were slaughtered on American highways. We did not lose that many American military personnel during the entire Korean conflict.

For those reasons, the commission made specific recommendations to Congress. In the meantime, and over the years, each Congress had adopted legislation to provide Federal participation,

in growing degrees, with States in the construction of all types of highways in this land.

Finally, in 1954, Congress devised the formula which has been mentioned a number of times today. With respect to the Interstate System, Congress provided a formula by which each State should receive a moiety of the money appropriated, on the basis of a two-thirds weight for population, a one-sixth weight for mileage within the State, specifically star routes and postal routes, and a one-sixth weight for the area of the State.

In each of the apportionment formulas written into law by Congress, each State could come and get the money if it wanted to match it with State funds. If it did not wish to do so, it would not have to take it.

Under Federal law, a State can use the moneys which Congress has apportioned to the extent that it wants to use the money, utilizing it with the State's own money in building the various roads, streets, and highways. If a State does not wish to match the money which the Federal Government has made available to it, the State does not have to use it, and the roads and highways are not built.

The problem before Congress today is different from the one that has been before Congress in years gone by. The problem with respect to the construction of an Interstate System, which I believe all Senators agree is an urgent necessity, is a problem in which the people of the United States, through the Federal Treasury, will assume a burden of 90 percent minimum of the cost of construction of that system, and 95 percent in some instances.

Thus, I believe it can be said that each State in the Union will be required to contribute a very small amount of the money necessary to construct the Interstate System. Why is that? The answer is perfectly obvious. We should not be vying in this Chamber, one State with another, on a system that is of benefit to all the people. This Interstate System is intended to be a Federal undertaking. When the Federal Government assumes the responsibility of not less than 90 percent of the cost, it is clear that it represents almost exclusively an undertaking by the Government of the United States.

In 1954 Congress, in adopting road legislation, added a provision in which it said to the Bureau of Public Roads, "You make an estimate of the costs necessary in this country to bring all types of roads, streets, and highways in the Interstate System up to a standard." The Bureau did that. The Bureau did it in part by sending out to each State its conception of specifications on the amounts of money necessary.

For the purpose of the comments I am now making—and I hope they may be helpful tomorrow when the question of apportionment is before the Senate for a vote—it is only necessary for me to say that each State, rightly or wrongly, efficiently or inefficiently, arrived at a figure which it believed represented the amount necessary to build that part of

the Interstate System located within its borders. That is all that was involved. That is all that was intended.

It has been suggested—I hope jokingly—that some States had the idea of putting gold bricks on the Interstate System, and therefore were more liberal in their mileage estimates than States which were more frugal.

Whether the figures are completely accurate or completely inaccurate, there is only one basis upon which the Government of the United States can undertake to build a 40,000-mile Interstate System across the United States, and that is on the basis of how much it will cost. In order to determine how much it will cost, estimates are needed. The final, actual costs involved will not be completely known until the 13 years of construction have passed. No one should quarrel with this.

What is the administrative routine through which moneys have gone to States, and in accordance with which, under either bill, the Senate committee substitute or the House approved bill, the money would go to the States in the future?

The Federal Government does not write out a Federal warrant and send it to the State treasuries. The Bureau of Public Roads is the Federal agency which is required to determine whether a specific proposed contract a State desires to enter into is a correct one under the law. If it is, the contract is approved. The State contracts with the construction firms, and a particular piece of roadway is built. Then the State presents a claim to the Federal Government, that claim is audited, and a determination is made as to whether the claim is in accordance with the law and with the specifications and rules laid down by the Bureau of Public Roads.

To the extent that the Bureau of Public Roads determines that the claim is accurate, a Federal warrant by way of reimbursement is given to the State which files that claim. I mention that because earlier this morning it was suggested that if allocations or apportionments were written into law by the Senate on the basis of need, some States would get too much and some States would get too little. That is not so.

It seems to me that, upon reflection, my fellow Senators who have made that claim will recognize that that cannot be so. It cannot be so because the Bureau of Public Roads—and I now speak of the House provisions—is required to determine a standard for the Interstate System all across the country. It will be the same standard in the Pacific Coast States as in the South or any other section of the country. The standards will be uniform.

If a State decided to enter into a contract of construction with respect to the Interstate System within its boundaries, the Bureau of Public Roads would have the responsibility of determining whether the standards were met. The State would then proceed to enter into contracts for the construction. Subsequently, when the State made its claim to the Bureau of Public Roads, there would be a second opportunity for the

Federal Government to determine whether the law had been complied with and whether the standards of construction were neither greater nor less than what the law and the regulations of the Bureau required. On that basis the Federal Government would reimburse the State to the extent of 90 percent of the cost.

Mr. President, there is only one sound way for the Federal Government to undertake the construction of an Interstate System within the next 13 years, and that is upon the basis of determining need, and, having determined need, to make apportionment by way of reimbursement to the States upon contracts of construction which have been approved to the extent of 90 percent of the cost.

That is the position which the American Association of State Highway Officials takes.

Mr. President, I ask unanimous consent that the policy statement of the American Association of State Highway Officials, appearing on page 73 of the House hearings of February and March 1956, be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AASHO POLICY STATEMENT ON FEDERAL LEGISLATION, 1956—41st ANNUAL MEETING, NEW ORLEANS, LA., DECEMBER 1955

The American Association of State Highway Officials urges the Congress to enact an expanded and adequate highway program early during the 2d session of the 84th Congress and to make funds authorized thereunder available for apportionment to the several States by July of 1956.

Further delay in taking action will cause additional critical traffic congestion and accidents, as well as create indecision at all levels of government in highway planning and construction and thereby materially retard the economy of the United States.

Any Federal-aid program authorized by the Congress should be administered by the Bureau of Public Roads and constructed by the State highway departments—a working relationship that has proved so successful over the past years.

An enlarged adequate highway program should indicate the intent of the Congress to construct the 40,000-mile Interstate System in not more than 15 years and to provide a progressive increase in the Federal aid to the secondary, urban, and primary systems. The initial authorization should be for a period of not less than 5 years.

The matching of funds for the construction of the Interstate System should be on a 90-percent Federal and 10-percent State basis, with the matching on the other systems as now provided under existing legislation.

A 20-percent transfer provision should be allowed between secondary, urban, and primary allocations to make the highway program flexible enough to meet the most pressing needs of the individual States.

Funds for the construction of the Interstate System should be initially apportioned on a basis of need as indicated by the section 13 study as reported by the Bureau of Public Roads, and as indicated by future successive needs estimates; such successive estimates to be made first in 1957 and in 5-year intervals thereafter. The apportionment to the other systems should be on the present basis.

The subjects of reimbursing for the moving of utilities from public highway rights-of-

way, of labor relations and requirements, and of vehicle sizes and weights should not be included in Federal statute but should be matters to be determined at the State level.

It is recommended that the Congress give consideration to the dedication of more of the general fund to road construction in view of the Federal responsibility in the national defense system of highways.

Such additional revenues as may be needed in the judgment of Congress for financing an enlarged highway program could be obtained by using one or more of the following, and it is suggested that the Congress explore these possibilities:

(a) A reasonable increase in the present Federal motor-fuel tax.

(b) A reasonable tax or an increase in tax on items not now taxed by the States but that will serve as a measure of highway use.

(c) The reasonable use of short-term credit financing with due consideration to its effect upon the national debt limitation.

Mr. KUCHEL. Mr. President, that is the position which the city officials in the United States take.

I ask unanimous consent that the testimony of a representative of the American Municipal Association, appearing on pages 123, 124, 125, and 126, of the hearings, be printed in the RECORD at this point in my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. BEN WEST, MAYOR OF NASHVILLE, TENN.

Mayor WEST. Mr. Chairman, my name is Ben West, and I am mayor of Nashville, Tenn. I appear here today on behalf of the American Municipal Association which represents 12,000 cities throughout the Nation. I speak both as vice president of this association and as chairman of its committee on highways.

First, I would like to thank the chairman and the members of this committee for giving us an opportunity to appear before you in executive session and present the views of the cities and towns on perhaps the most vital single problem facing our cities today—the problem of providing adequate highways in and around our traffic-choked urban areas.

There is no way to build roads that will be more expensive than not building them.

We believe that the need for highways is so overwhelming that it justifies almost any compromise to get started. We in the cities just cannot wait any longer. The situation is beyond being critical and is now approaching a point where "desperate" would be a more adequate word to describe our needs. We must have an adequate expanded highway bill in this session of Congress. To accomplish this, we believe that Congress should postpone for future consideration those aspects of the program that do not need to be settled immediately. Thus, in limiting the area of controversy to those matters that are essential to getting the program underway, Congress will greatly enhance the chances of a road bill becoming law in 1956.

When Congress adjourned the last session without having passed a national highway program, the American Municipal Association, along with millions of others, felt a deep sense of disappointment and frustration. We queried all the cities of the Nation of over 50,000 population to determine the effects of the failure of Congress to enact an adequate highway bill. The results of this query have been tabulated, and, Mr. Chairman, I request that this tabulation be made a part of the record of this hearing.

We also have on file the letters that are the basis for this tabulation. They are available to this committee.

In summary, this tabulation shows that in 85 cities, representing 38 States and the District of Columbia, 129 projects totaling an estimated \$5,500 million are adversely affected by the failure of the expanded highway program to pass.

City after city reports that the delay will increase the costs of rights-of-way, in some cases as much as 10 times for each year of delay because private developers are constructing on the proposed routes.

Municipal planning for city streets and other projects such as urban renewal is at a standstill or proceeding at a snail's pace because there is no assurance of the extent of participation of the Federal Government in the Interstate System or the rate of participation. Cities cannot plan for connecting streets to an interstate highway that hasn't been planned and that may not be constructed for a generation.

Cities are rapidly coming to the end of the line as far as improving the traffic capacity of present city streets and highways is concerned. Yet the traffic counts continue to mount. During the past year we have not been able to even keep pace with the increased traffic of a single year to say nothing of the accumulated backlog. There has been a net increase of 3 million vehicles in the year since we appeared before you on this question in 1955. We are worse off today than we were only 1 year ago.

City officials are worried about the civil defense implications of present inadequate highways. They are concerned about the possibility of enemy attack and the new evacuation policy in the light of their positive knowledge that if it is nearly impossible to properly evacuate the evening business migration to the suburbs in a reasonable length of time, how can they evacuate the entire population of the city under an emergency situation.

City officials are also concerned about the appalling loss of life on inadequate traffic-choked city streets and highways. They look with envy to those very few cities that have constructed modern highways which are proving that properly engineered highways will greatly reduce the loss of life.

Cities are particularly interested in the Interstate System. Of the \$25 billion Federal share for this system, an estimated \$14 billion will be allocated for construction in urban sections. By our calculations, at the present rate of Federal contributions of \$175 million per year and taking the total estimated cost of \$25 billion for the entire Interstate System, it would take 143 years to construct the highways that we should have had years ago. It should also be borne in mind that because the highway problem within cities is so enormous and complicated, and because the available funds have been so small, no real start has been made on interstate construction within cities. A survey we have just completed of 24 States indicates, for example, that while 12 States report that they have used interstate funds within the corporate limits of cities, in 9 States they have not so used these funds. To cite a single example, in the State of Kansas, during the past 3 years, \$6,524,007 has been spent on Federal-aid programs within the corporate limits of cities. Of this total, only \$8,743 was spent on interstate projects. There are 94 miles of the Interstate System within urban areas of that State, and the estimated cost of these 94 miles is \$39 million.

Our national municipal policy on an expanded national highway program is, I think, well known to the members of this committee. We unanimously adopted at our last American Municipal Congress a policy which represents the thinking of our 12,000 member cities. We ask for immediate action on an expanded Federal-aid highway program that will provide for the completion in the next 10 years of the Interstate Highway System while simultaneously maintaining

the highest possible level of construction on the Federal-aid primary, secondary, and urban systems. We ask for 90 percent Federal sharing on the Interstate System including the urban feeders and that such funds be made available to the States in such amounts and at such times as to meet the Federal pro rata share of all rights-of-way costs, including the cost of relocating publicly owned utilities.

As you can see from this policy statement, Chairman FALLON's bill, H. R. 8836, does not meet the wishes of cities in every respect. It provides for a 13-year construction program on the Interstate System, for example, instead of the 10-year program that we support. We do believe, however, that the urgency of this legislation is such that there must be compromise. In general, the Fallon bill meets the needs of the cities and towns and we pledge the support of this organization for this or a similar bill that will accomplish the same objectives.

We favor the construction of the interstate highways as a single system with each State receiving an amount of money necessary to complete those portions of the system within its boundaries. We have opposed for this large program the interstate allocation formula established in the 1945 Highway Act on the grounds that it provides too much money to some States and too little to others. It would not provide for the uniform construction of a system of highways. This same formula is contained in the Senate-passed Gore highway bill. We have felt that allocations for this system should be made on the basis of the needs study made by the State highway departments and the Bureau of Public Roads at the direction of Congress.

I might add in connection with Senator ALBERT GORE that we in the cities and towns appreciate the tremendous job that he and the members of his committee have done in trying to get adequate highways. That also applies to you, Chairman FALLON, and to the Representatives of this committee. You have all worked long and hard on this legislation. I'm sure that I speak for all municipalities when I say that your effort, interest and enthusiasm are greatly appreciated.

There is some question, however, of the adequacy of this needs study. Everyone will agree that it is difficult to make long-range estimates of highway costs in a nation as dynamic as this one. This is particularly true since there has been so little highway construction of this magnitude, especially in the cities and towns. The engineers have very little experience on which to base an estimate. I reviewing the needs for the first 2 years of the interstate program, we find that regardless of whether the present formula or the needs study are used, no State will receive more or less money than it can program. We suggest therefore that either method of allocation be employed the first 2 years. At the end of that time, the Congress can review the program and in the light of actual experience determine the method or methods of allocation that will best accomplish the completion of the interstate highways as a system.

The present bill provides for reimbursements to States for sections of the Interstate System. As we understand it, in order to qualify for such reimbursement, the sections must meet the standards as determined by the Secretary of Commerce. It is our further understanding that no study has been made to determine the extent to which these highways that have been constructed will meet these standards. There is no estimate of the cost of this reimbursement. It has been estimated that there are 2,900 miles of toll roads alone, most of which are on the Interstate System and which were built at an estimated cost in excess of \$4 billion. Again, we believe that reimbursement is a

matter that could well be delayed pending a complete study by the Bureau of Public Roads to determine the extent to which the roads meet the interstate standard, the depreciated value of the roads and in the case of toll roads, the structures and interest charges which would not be reimbursable under the provision of the Fallon bill. Without discussing the merits of this question of reimbursements, a postponement of a decision pending receipt of accurate factual data would have several advantages. In the first place, it would postpone for awhile the question of increased revenue to cover the cost of reimbursement until experience with the program could give a clearer picture of actual construction costs and revenues from new taxes. It would also have the advantage of channeling the first moneys into highway construction rather than into book-keeping transactions that in themselves would construct no roads. Section 8 (d) of the Fallon bill provides that such credits may be applied at the option of the State to construction on the Federal-aid primary system. Most of the mileage of the primary system is in rural areas and would not help the cities where traffic is heaviest.

Mr. KUCHEL. Mr. President, a few days ago the able Senator from South Dakota [Mr. CASE] introduced into the CONGRESSIONAL RECORD, at page 8816 and following, a number of statistical charts forwarded to him by C. D. Curtiss, Commissioner of Public Roads. With those statistical charts came a letter of transmittal, and a part of that letter of transmittal reads as follows:

You will see that there is considerable variation as would be expected due to differences in specifications used in different States, as well as differences in terrain, soil types, local materials, wage rates, traffic loads, and many other factors.

Mr. President, the Commissioner was talking about the estimates which the States of the Union had made under House Document No. 120 which the Congress required the Bureau of Public Roads to obtain in the 1954 highway legislation.

The Senator from South Dakota then indicated, and I think it was a logical indication for him to make, that the Commissioner of Public Roads took the position that different specifications were used in the different States.

I have here a letter from the Commissioner which I wish to read. It is addressed to me, and dated May 28, 1956:

DEPARTMENT OF COMMERCE,  
BUREAU OF PUBLIC ROADS,  
Washington, May 28, 1956.

HON. THOMAS H. KUCHEL,  
United States Senate,  
Washington, D. C.

DEAR SENATOR KUCHEL: Reference is made to our telephone conversation relative to the estimates in the so-called section 13 report covering costs of completing the Interstate System in each State.

In my letter of May 18 to Senator CASE which is printed on page 8817 of the CONGRESSIONAL RECORD for May 23, reference is made to the variation in the estimates " \* \* \* due to difference in specifications used in different States \* \* \* ." It is apparent to me now that this paragraph is open to different interpretations. Actually the specifications and design standards used were such as to be adequate in the States where used for the estimated traffic. There would necessarily be a difference in cost from one section of the country to another—even in different sections in the same State where there were widely differing climatic,

soil, and traffic conditions. Also, because of 2-lane, 4- and 6-lane sections of the Interstate System.

The section 13 report required an estimate of the cost of bringing to adequate conditions of improvement all the highways and streets in the United States, approximating 3,800,000 miles. Obviously it was not possible in the time available to make this estimate with the same care and attention to details as would be the case in connection with the estimates of the cost of completing the 40,000-mile Interstate System called for in the Fallon bill as it passed the House.

Knowing that there appeared to be variations in the accuracy of the estimates, and also because the 2,300 miles of circumferential and distributing routes in urban areas were not included in the section 13 report as part of the Interstate System since this mileage had not been designated at the time, we strongly urged in our appearance before the House Committee on Public Works that reappraisals be made of the cost from time to time. With each new appraisal being used as the basis for further apportionments, a formula based on needs is sound and the only basis on which a reasonably uniform rate among the States of completing the Interstate System can be accomplished.

Trusting this will give you the desired information, I am

Sincerely yours,

C. D. CURTIS,  
Commissioner of Public Roads.

Mr. President, I should like to repeat that last statement, which is very important:

With each new appraisal being used as the basis for further apportionments, a formula based on needs is sound, and the only basis on which a reasonably uniform rate among the States of completing the Interstate System can be accomplished.

That is the statement of the Commissioner of Roads. We have heard from representatives of State governments in America, we have heard from representatives of city governments in America, and we have heard from representatives of the Government of the United States, and they all agree that the only sound and realistic manner of doing this job in a given period of time is to make Federal apportionments on a basis of cost—a basis of need.

Mr. President, it seems to me it is irrelevant to talk about applying the historic Federal apportionment formula to a job that is to be done in 13 years. There is a fundamental difference between historic Federal participation in highway construction and what we have before us at this time. I submit, Mr. President, that the Senate Public Works Committee was wrong in scrapping the House bill and in substituting an apportionment which never was intended to build an Interstate System in 13 years, 15 years, or 10 years, or any period of years.

Last year the Senate Public Works Committee considered the testimony of General Clay and the members of his commission. I very much regret that the Senate Public Works Committee refused to approve the recommendations of the Clay Commission when the bill was fashioned in our committee. It was fashioned by our able brethren who served on the committee, and the majority of them saw the problem differently from the view which I take, and which the Federal, State, and city governmental representatives take.

When the bill came to the Senate last year I think I describe it accurately when I say it was merely a more generous continuation of the old historic means of Federal road apportionment to the States, and in that form it passed the Senate.

The House of Representatives this year held, through its Public Works Committee, painstaking and careful hearings on the broad subject.

Representative FALLON and his brethren on the committee wanted to do a good piece of work. They wanted Congress to pass legislation which would provide for the new Interstate System within a given period of time. They faced up to the problem of paying for it realistically, and they provided for increased taxes in a number of Federal revenue laws.

The House of Representatives overwhelmingly passed the bill, as I have said, in two parts, one providing that the Federal Government have the work done on the basis of needs, regardless of where the interstate highways were located; the second part provided for an increase in revenue.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KUCHEL. In a few moments.

Now the Senate is asked to throw out what the House has done. There are parts of the House bill which I believe could be improved; but I do not believe the Senate could improve upon the manner in which the House bill apportions Federal funds for the Interstate System on the basis of need. The House bill realistically provides that at the end of 2 years a restudy of the needs shall be made by the Bureau of Public Roads, subject to the approval of the two Public Works Committees of Congress, and that this shall be the basis for reapportionment thereafter until, as the bill provides, a third, a fourth, and a fifth reestimate of needs shall be undertaken by the Bureau of Public Roads. That is a well-done piece of legislation.

I believe we shall be doing a tragic disservice to the people of America if we abandon the work which the House of Representatives has done, and seek to apply to a situation which has never occurred before in road construction a historic method of apportionment which does not face up, confessedly, to the Federal responsibility of Federal construction in a given 13-year period, so as to provide the people of America with a modern and efficient system of interstate highways across the country. I shall have more to say on this subject later, if I shall be permitted to speak on it, but I wish to make one more comment now.

Some objection has been made to the table of needs, which appears in House Document No. 120, and which represents the estimates of the 48 States of the Union. I throw out this idea for Senators to think about, if they will take a moment to do so. Would Senators favor an amendment to provide that the Bureau of Public Roads, during the first 2-year period, should determine the needs on the basis of costs as the Bureau would find them to be? If so, it might

well be that there could be a meeting of the minds on that point. It might well be that a majority of Senators could agree upon that type of suggestion. To that extent, we would eliminate the argument advanced this morning, namely, that some States were unrealistic in arriving at their estimates of needs. I hope we shall be able to compose these differences, because it will be a sorry day for the people of the United States if the Senate junks the House-approved bill and then fails realistically to write a bill which will give us what all Senators know the people of the United States demand.

Mr. COTTON and Mr. JENNER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from California yield, and if so, to whom?

Mr. KUCHEL. I yield first to the Senator from New Hampshire, who previously asked me to yield; then I shall yield to the Senator from Indiana.

Mr. COTTON. I wish to ask the Senator from California one question. But, first, I compliment the Senator on the excellent speech he has just made. It is only a continuance of the masterly contribution he has made toward solving the problem throughout its consideration by the Committee on Public Works.

Mr. KUCHEL. I thank the Senator from New Hampshire.

Mr. COTTON. If I understood the Senator correctly a few moments ago, he said that the estimates in the House bill could not possibly, in the long run, operate to the disadvantage of any State, because the procedure would be that the State would consider its needs and its costs and would submit its estimates to the Bureau of Public Roads. The Bureau would approve the estimates, the highways would be built on the basis of cost, and the result would be the same regardless of the apparent inconsistencies or inequalities of the estimates in the bill.

Mr. KUCHEL. The Senator is exactly correct.

Mr. COTTON. This is the point of my question. The Senator based his statement on the fact that, as he said, the bill provides standards. The standards will be established by the Bureau of Public Roads, and they will be uniform in every State.

Is it not true that the standards have to do with the surfacing and the quality of the highways? They do not necessarily specify in advance what the States shall have or what given sections shall have, or whether there shall be 2-lane, 4-lane, or 6-lane highways on a given stretch. Is not that correct?

Mr. KUCHEL. The Senator is correct. In other words, the Fallon bill as I see it, expresses it to be the intent of Congress that the system shall be the same throughout the country so far as the standards are concerned. It is true that in some parts of the country a 6-lane highway will be necessary, while in some of the wide open spaces a 4-lane highway, or even a 2-lane highway, might be necessary. But the level of construction, the type of construction, and the standard of construction for

each of the given types of highway would be the same wherever highways were built, as I interpret the language.

Mr. COTTON. But the point which I want to raise—I think it is an important point, and it is one on which I find myself in disagreement with the Senator from California—is that those standards are minimum standards only. They have to do with the quality, rather than the type of highway or the number of lanes. Consequently, if the preliminary estimates taken from the various States and written, I claim, hastily and in a haphazard fashion into the House bill, continue for 2 years, and then, when they are threshed out, a compromise will result, and in some measure the hasty estimates will be frozen into the law. I cannot agree with the Senator's assertion that it is impossible that any State should suffer ultimately in the amount, or the number of lanes or the quality of its highways, because of inaccuracies of the estimates in the House bill.

Mr. KUCHEL. I will state why I said that. This system is contemplated to be built in 13 years, not in 2 years. So in the first 2 years, under the House bill, the various States would ask the Bureau of Public Roads for approval of specific contracts. The approval would be given, the contracts would be left, and construction would be undertaken. Claims for reimbursement would be lodged with the Bureau of Public Roads. The Bureau would audit what had been done and would then authorize reimbursement in whole or in part.

At the end of 2 years, the Bureau of Public Roads, under the House bill, would be required to submit a new estimate of needs to complete the system.

Its approval by the two committees would be in effect until a third estimate was required to be presented to the Congress, and then the fourth estimate, and then the fifth estimate, and so on.

Mr. COTTON. I thank the Senator for his patience. I wish to bring out one more point, if he will permit. I agree with what I understood to be his last statement, that a cost arrangement is preferable to any formula, but I still want the RECORD to show that I must differ with the Senator to an extent in his analysis of the effects of the House bill. If a good, lush stretch, a 4- or 6-lane highway, were started, on the 2-year basis, in a State which perhaps did not require it, either because of the amount of traffic or the population, it would still have to be completed in subsequent years.

Mr. JENNER. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. JENNER. With regard to the Senator's point about a 2-lane or 4-lane or 6-lane highway, that is an automatic proposition. That will be determined by an actual traffic count, and so forth. Is that correct?

Mr. KUCHEL. The Senator is correct. Mr. JENNER. Therefore, no State can take advantage of that.

Mr. KUCHEL. The Senator is correct. Mr. JENNER. So far as the House version and the Senate committee version of the bill are concerned, I think one thing should be pointed out, and I

want to know whether or not this is correct. For example, some States may estimate that they need \$100 million, but under the Gore formula, may get \$270 million. If they do not spend the money, it does not go back to the general fund for the benefit of States which will need the money to make the system uniform and complete. But under the Gore proposal, it is provided that the States can take 20 percent of the money allocated to them and use it on secondary roads. So what would be happening? Instead of the money being spent on the Interstate Highway System, the taxpayers of the country would be paying for the construction of secondary roads in some States. In addition to that, under the Gore formula, some States might complete the Interstate Highway System in 5 years, but other States will hardly get started in 5 years. So the formula is not fair under any analysis.

Mr. KUCHEL. Will the Senator agree with me there may be those who may be in favor of the Gore proposal, not because they are interested in an Interstate System, but because they are interested in something else?

Mr. JENNER. Of course, and their argument cannot stand.

Mr. CAPEHART. Mr. President, will the Senator from California yield? I should like to ask him a question.

Mr. KUCHEL. I yield.

Mr. CAPEHART. Inasmuch as under the Gore proposal, many of the States will get far more than they can possibly use, does not the Senator think that they will be able, under the language of the proposal, to take 20 percent of the funds, provided they match the funds on a 50-50 basis, and build secondary and primary roads? Talk about a pork-barrel bill; we would have it in the so-called Gore amendment.

Mr. KUCHEL. I will say to the Senator, and he may speak later for himself in the debate, one of the States of one of our brethren would, under the Senate Public Works Committee formula, receive three times as much money as the people of that State asked for, and to that brother's eternal credit, he will stand on the floor and vote in favor of the House-approved measure.

Mr. CAPEHART. Which provides that the State cannot possibly use that amount of money.

Mr. KUCHEL. That is correct.

Mr. CAPEHART. Other States will take 20 percent of the total amount allocated, match it with 50 percent of their own funds, and build secondary and primary roads. Is that the reason why so many are in favor of the so-called Gore amendment, or is it for another reason?

Mr. KUCHEL. I cannot answer that question.

Mr. BUSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Does the Senator from California yield?

Mr. KUCHEL. I yield the Senator from Connecticut.

Mr. BUSH. The Senator from Indiana has made a very excellent point about the 20-percent proviso with regard to the reallocating of the money to roads

other than in the interstate system. Some of it may be used, and some of it may not, because the money will have to be used on a 50-50 matching basis. For that reason, I think much of the money may not be used. But is it not true that the money which was not used would remain in the Federal Treasury; that it would be a part of the highway fund, and could be used only for that purpose? Therefore, under the proposal of the Senator from Tennessee we shall end up with approximately \$4½ billion which must remain in the highway fund and cannot be used.

Mr. KUCHEL. My friend from Connecticut has added another telling argument to that which the Senator from Indiana has made. The proposal would take more money away from the American taxpayer, but, under the proposal of the Senator from Tennessee, the money would be sequestered in the Treasury and remain unavailable.

Mr. JENNER. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. JENNER. What the Senator has stated is exactly true. This is exactly what is going to happen. Because the money will be in the fund, earmarked, and unavailable for any other purpose, there will be pressure on the Congress for an extension of the 40,000-mile Interstate Highway System. Some of the State systems will be completed, and the officials of those States will say, "We have the money, so we are going to build another new highway." There will be requests for extensions of the systems because the money will be available. In the meantime, in many States there will be gaps in the system, with the result that there will not be an Interstate Highway System.

Mr. KUCHEL. I thank the Senator for his contribution.

Mr. President, I send to the desk an amendment which I proposed to offer, and I ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment of the Senator from California will be received and printed, and will lie on the table.

The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. GORE. Mr. President, the pending bill comes to the Senate as the result of long study, exhaustive hearings, and extensive consideration. The debate which has transpired thus far today has been very helpful, and in some respects obviates the necessity—

Mr. MARTIN of Pennsylvania. Mr. President, will the Senate yield so that I may suggest the absence of a quorum?

Mr. GORE. I yield for that purpose.

Mr. MARTIN of Pennsylvania. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, communicated to the Senate the intelligence of the death of Hon. WILLIAM T. GRANAHAN, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message announced that the Speaker pro tempore had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 767. An act for the relief of certain aliens;

S. 1111. An act to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 1883. An act for the relief of Pietro Rodolfo Walter Stullin and Renate Karolina Horky;

S. 1970. An act for the relief of Kim Boksoon and Anke Naber;

S. 2822. An act to authorize and direct the Secretary of the Interior to transfer approximately 9 acres of land in the Hualapai Indian Reservation, Ariz., to School District No. 8, Mohave County, Ariz.;

H. R. 4656. An act relating to the Lumbee Indians of North Carolina;

H. R. 7678. An act to permit articles imported from foreign countries for the purpose of exhibitions at the Eleventh Annual Instrument-Automation (International) Conference and Exhibit, New York, N. Y., and the Americas' New Frontiers Exposition, to be held at Oklahoma City, Okla., to be admitted without payment of tariff, and for other purposes;

H. R. 9429. An act to provide medical care for dependents of members of the uniformed services, and for other purposes; and

S. J. Res. 135. Joint resolution for payment to Crow Indian Tribe for right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project, Montana-Wyoming.

## VISIT TO THE SENATE OF MAYORS AND OTHER CITY OFFICIALS FROM THE STATE OF SAO PAULO, BRAZIL

Mr. BUSH. Mr. President, I invite the attention of the Senate to the fact that there are seated in the gallery 50 mayors and other city officials from some 20 cities in the state of Sao Paulo, Brazil, who are visiting the Capital of the United States. They are here under the sponsorship of the Department of State in order to study municipal governments and problems of municipal governments in a number of States in this country.

I ask the gentlemen to rise and receive a welcome from the Senate.

[The members of the delegation rose in their places and were greeted with applause, Senators rising.]

## ORDER FOR RECESS UNTIL 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

## FEDERAL-AID HIGHWAY ACT OF 1956

The Senate resumed the consideration of the bill (H. R. 10660) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to amend the Internal Revenue Code of 1954 to provide additional revenue from the taxes on motor fuel, tires, and trucks and buses; and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ] to the amendment of the Committee on Public Works, on page 49, after line 24.

Mr. MORSE. Mr. President, I have received a series of telegrams from my State in support of the Magnuson amendment, which seeks to exempt from the tax provisions of the highway bill, so far as the gas tax is concerned, operators who use equipment on private roads.

I think the Magnuson amendment is a sound amendment. It certainly is in keeping with my understanding as to the purpose of the tax features of the highway bill, namely, that taxes go to help to pay for public highways.

It seems to me that the owners of private equipment, such as logging trucks, for example, who use their equipment on their own roads, stand in a position analogous to that of a farmer using his tractor in his own fields. I think it is unfair and unjust to impose upon them an additional tax.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a series of telegrams which I have received on this subject. I serve notice that unless it can be shown to me that there is some unsoundness in the logic of these telegrams, I intend to vote in accordance with the position taken by these constituents.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

EUREKA, CALIF., May 26, 1956.

Senator WAYNE MORSE,  
Senate Building, Washington, D. C.:

Reference H. R. 10660, highway tax bill. Urgently request you lend favorable ear to Senator MAGNUSON's amendment, upon which action is scheduled Monday or Tuesday, to eliminate discrimination against logging trucks and provide for tax refund for use of privately owned or maintained roads based on proportionate mileage formula. Your favorable consideration appreciated.

JACK FAIRHURST,

Vice president and general manager,  
Fairhurst Mill Co. and Fairhurst  
Lumber Company of California and  
California Eastern Timber Co.,  
Trinity National Lumber Corp., Los  
Angeles Lumber, Inc., Athena Mill  
Co., and Oregon Western Timber Co.

JUNCTION CITY, OREG., May 26, 1956.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D. C.:

I sincerely urge you to give Senator MAGNUSON your full support on his proposed

amendment to highway user tax bill, H. R. 10660. It is imperative that the lumber industry be given equitable nondiscriminatory treatment in the application of this proposed bill as provided for under Senator MAGNUSON's amendment. We approve the basic premise of H. R. 10660 in that the users of public highways should stand the major costs of their construction. However, it would seem to be extremely unjust to impose this additional burden upon the users of private logging roads which have been constructed with private capital and are used primarily by off-highway equipment.

Sincerely,

NILS B. HULT,  
HULT LUMBER CO.

MEDFORD, OREG., May 26, 1956.

Senator WAYNE MORSE,  
Washington, D. C.:

Urge you support Magnuson floor amendment on H. R. 10660 to eliminate discrimination against logging trucks and provide tax refunds for private road use and maintenance.

KOGAP LUMBER INDUSTRIES,  
SOLAR LUMBER CORP.,  
OFFORD LOGGING CO.

SPRINGFIELD, OREG., May 26, 1956.

Senator WAYNE MORSE,  
United States Senate.

DEAR SENATOR: Urge favorable action on Senator MAGNUSON's amendment to eliminate discrimination against logging trucks and provide for tax refunds for use of privately owned roads based on proportionate mileage formula in connection with highway use tax bill H. R. 10660.

Owners of off-highway type of equipment are already contributing to the solving of the highway problem and should not again be taxed for the same purpose.

Trusting you will support this logical and fair amendment,

Yours truly,

ELIOT H. JENKINS,  
President, the Booth-Kelly Lumber Co.

SALEM, OREG., May 26, 1956.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D. C.:

Appreciate your effort to change the distribution formula of the interstate highway legislation back to House version. Final vote expected Tuesday in Senate. Please wire me Monday if you can support this change.

R. H. BALDOCK.

LONGVIEW, WASH.

Hon. WAYNE MORSE,  
Senate Office Building,  
Washington, D. C.:

We urge your active support to Senator MAGNUSON's floor amendment on highway user tax bill, H. R. 10660, eliminating discrimination against forest products industries using logging trucks on privately owned and maintained logging roads. Such operators should not be required to pay unfair highway taxes when trucking over their own road systems.

THE LONG BELL LUMBER CO.,  
J. D. LELAND, President.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I send to the desk a proposed unanimous-consent agreement, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read the proposed unanimous-consent agreement, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Tuesday, May 29, 1956, at the conclusion of routine morning business, during the further consideration of the bill (H. R. 10660) the Federal-Aid Highway Act of 1956 and the Highway Revenue Act of 1956, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator on any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement?

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. As I understand, the Senator's program would be to have the Senate meet tomorrow morning at 10 o'clock.

Mr. JOHNSON of Texas. That is correct.

Mr. KNOWLAND. And the Senate would stay in session this evening if Senators had more prolonged speeches to make on the bill than they could not make tomorrow under the proposed limitation of debate; is that correct?

Mr. JOHNSON of Texas. That is correct; and I previously assured the Senator from California that we would stay in session late this evening, if necessary.

Mr. KNOWLAND. And that the Senate would not reach the voting stage on the bill until tomorrow; is that correct?

Mr. JOHNSON of Texas. That is correct.

The PRESIDING OFFICER (Mr. MONROE in the chair). Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

Mr. GORE. Mr. President, the bill before the Senate and also the bill which passed the House of Representatives, for which the pending bill is recommended as a substitute, maximizes the concept of a greatly improved Interstate Highway System. An interstate highway concept is not new; indeed, the Interstate Highway System was created in 1944. It was 2 years ago that Congress, upon the

recommendation of the Committee on Public Works, then under the able chairmanship of the Senator from Pennsylvania [Mr. MARTIN], recommended a large increase in the authorization of funds for the Interstate System. It was then that the Committee on Public Works recommended that the authorization of funds for interstate highways be increased from \$25 million a year to \$175 million a year. It was at the same time that the bill recommended to the Senate by the Committee on Public Works directed the Secretary of Commerce to make an extensive study of the Interstate Highway System and to report the result of its study to Congress.

Thereafter, President Eisenhower appointed a commission, under the chairmanship of Gen. Lucius Clay, which also made a study. The facts show that the study of the Clay Commission was in large part based upon the compilation of reports and statistics collected by the Department of Commerce in conformity with the directive contained in the act of 1954.

By reciting this legislative history I would not wish to be understood in any way as undertaking to diminish the credit to which I believe President Eisenhower and General Clay are rightfully entitled for the service rendered in this field.

Were it not for the public opinion which was generated as a result of the Clay report, and were it not for the overall study and report which that Commission made, I doubt that Congress would this year, as I said of the bill last year, be considering a bill of such magnitude as the one which is before the Senate today. There is room for credit for all. And there is a challenge sufficient for the talents of all.

Mr. President, this is the largest peacetime measure from the standpoint of fiscal outlay that Congress has ever considered. It involves the construction of a magnificent system of interstate highways, interconnecting all of America's principal cities. When completed, it will be the object of national pride and will afford greater safety in highway traffic, and more rapid and efficient movement of highway transportation, and thus add to the social, economic, and cultural attainments of the United States.

The Interstate Highway System, however, is not all that is included in the pending bill. From the beginning of the consideration of this subject last year, the Senate Committee on Public Works has repeatedly expressed the desire and the intent of providing a balanced highway program. A highway program cannot be balanced if we place all added emphasis on the Interstate System. There are other very important roads, such as the Federal-aid primary highways. In some States there are Federal-aid primary highways which carry more traffic than does the interstate highway. Therefore, Mr. President, we cannot ignore the primary Federal-aid highway system. Those roads are far greater in mileage than are the interstate highways, and they carry more traffic than do the interstate highways, measured alone.

Neither can we overlook the urban extensions of the primary or secondary roads. Therefore, the bill before the Senate, recommended by the Senate Public Works Committee, would increase the Federal aid for the three categories of highways, primary, secondary, and urban from \$700 million a year to \$900 million a year.

Mr. President, I now come to the first difference between the bill passed by the House of Representatives and the Senate committee bill.

The House bill would increase Federal aid for primary, secondary, and urban roads next year only from \$700 million to \$725 million. The House bill would provide further increases of \$25 million for 1958 and 1959. In other words, for 3 years, the House bill provides for urban, primary, and secondary highways \$725 million for the fiscal year 1957, \$750 million for fiscal 1958, and \$775 million for fiscal 1959.

Mr. President, those amounts may be adequate for some States. Indeed, a few States have indicated that the amounts for those particular highways will be adequate. But we find them inadequate for Federal aid to this category of highways in other States.

What does the Senate committee bill provide for primary, secondary, and urban highways? It provides not a 3-year program, but a 5-year program. Each year Federal aid would be provided to the extent of \$900 million. The House bill would provide only for a 3-year program for this category of highways; the Senate committee bill provides for a 5-year program. The House bill contains an additional provision declaring it to be the legislative intent to increase the authorizations for this category of highways by \$25 million a year for 10 years following this 3-year period.

Mr. President, a legislative intent declared by the present Congress has no meaning in law and will have no meaning in law unless a succeeding Congress enacts legislation giving effect to the intent. It is not known what a future Congress may do.

Therefore, Mr. President, we must measure the provisions of the House bill as they really are—a 3-year authorization provision for primary, secondary, and urban highways.

We must likewise measure the Senate committee bill for what it provides—a 5-year program for primary, secondary, and urban highways.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. Mr. President, the portion of the bill to which the Senator is addressing his remarks has not received as much attention as it deserves. So much attention has been focused on the interstate highway provisions of the bill that there is a tendency to overlook the fact that the bill as reported by the Senate committee contemplates, as the Senator from Tennessee has said, keeping the other road programs in balance. I am particularly glad the Senator has called attention to the A-B-C roads, the primary, secondary and urban sections.

I wish to invite the attention of the Senator to the fact that, in spite of all that has been said about the inadequacies or inaccuracies and variations in estimating by several States, they know much more about estimating the cost of completing the primary, secondary, and urban system than the so-called interstate system. The reason for that is that they have more experience in building roads. Another reason is that they match on a 50-50 basis, generally speaking, for the primary, secondary, and urban roads. Consequently, they are much more concerned with accuracy in estimating for those roads than they are where they think Uncle Sam will pay 90 percent of the cost.

But, having said that there may be some inaccuracies in the estimates, it must be remembered that section 13 of the 1954 act called upon the Department of Commerce to get the same kind of reports on the completion of these three categories as on the interstate system, and, consequently, we do have the figures which they supplied for the completion of the primary, secondary, and urban roads.

Much has been said about the necessity for starting on a program whose completion will be assured. Having composed the language which became section 13 of the Highway Act of 1954, I know that the intent was to get the data which would make it possible to complete all the roads, and that is borne out by the language of section 13. Unless we augment the authorization for the primary, secondary, and urban systems, they will not be completed in any foreseeable period of years.

The amount proposed in the Senate committee bill is a figure which will make it possible to complete the primary, secondary, and urban system in 25 years, if the estimate is accurate. But I submit that the 25-year figure should be contrasted with the 13-year figure about which we are talking. I hope Senators will keep that in mind. Unless we increase the authorization for primary, secondary, and urban roads to the figures proposed in the Senate version of the bill, there will not be sufficient funds to complete those systems even in 25 years.

Mr. GORE. Mr. President, I appreciate the fact that the distinguished Senator from South Dakota has called attention to the inadequacies of even the Senate committee bill with respect to the primary, secondary, and urban roads. I have deliberately chosen to discuss this particular phase of the bill at this point because the preceding debate has been entirely upon the Interstate System.

I should like to inquire of the distinguished junior Senator from South Dakota if he is familiar with the estimates of the costs to complete primary, secondary, and urban highways, as contained in the Clay report, that is, to bring them to a condition of adequacy?

Mr. CASE of South Dakota. Reasonably so.

Mr. GORE. For the benefit of the Senate, the Clay report may be found on pages 6 and 7 of House Document No. 120. If the Senator from South Dakota will

be so kind as to refer to that report, he will find that the Clay report estimates a need for \$30 billion in order to bring the primary Federal-aid highways to a satisfactory condition.

Mr. CASE of South Dakota. That is correct.

Mr. GORE. Yet enactment of the House bill would for the next 3 years increase the amount of Federal aid available to the 3 categories of highways by only \$25 million annually.

Mr. CASE of South Dakota. That is correct. Of course, it should be kept in mind, in interpreting the Clay figures, that those estimates are for the completion of the system; and the funds for those categories are matched on a 50-50 basis, so as to determine the Federal share necessary for meeting the estimate. Presumably the States would contribute 50 percent of the cost, and the Federal Government would contribute 50 percent. But, at that, it will take at least 25 years, under the augmented figures of the Senate committee bill, to accomplish the completion of these systems.

Mr. GORE. I should like to point out to the Senator one additional fact. When a request was made to the States to submit their estimates of cost for completion, they were asked to submit estimates on the Interstate System to handle the traffic of 1974. But for the primary, urban, and secondary systems—

Mr. CASE of South Dakota. That was to bring them up to date.

Mr. GORE. It was 1964, I believe.

Mr. CASE of South Dakota. In any event, it was not the 30-year period.

Mr. GORE. In other words, it was the 10-year period from 1954 to 1964.

Therefore, I submit to the Senate that although the Senate committee bill makes a vigorous attempt to provide additional Federal aid to the primary, secondary, and urban highways, it is still inadequate, but is far better than the provisions of the House bill.

I point out once again, as I did a year ago repeatedly, that only one-seventh of the Nation's traffic travels on interstate highways. We cannot ignore the other Federal-aid highways, and we must not. We cannot ignore them if we expect to have a balanced highway program. Therefore, I point out that one of the first differences between the House bill and the Senate committee bill to which the Senate will want to give consideration in deciding which it will support is the difference in the level of Federal aid to primary, secondary, and urban highways.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. In that connection, it seems to me the RECORD should contain a notation of the percentage of distribution which is proposed between the different categories of roads.

Historically, in Federal-aid highway legislation we have apportioned 45 percent of the total amount to ABC, 30 percent to secondary, and 25 percent to urban highways.

The Interstate System in reality is a part of the primary system. The House figures contemplate taking the money which would be available for the ABC roads, and apportioning it still under the old formula, notwithstanding the fact that there would be selected and set aside 40,000 miles of primary system roads, which would be called interstate, and given up to \$2,200,000,000 a year.

That is, after having given the primary roads this great augmentation for the benefit of the section designated as the Interstate System, it is proposed in the House bill to come back and give the primary roads 45 percent of the amount apportioned to the ABC roads.

The Senate committee bill, on the other hand, recommends that the primary system get an extra largess through the interstate funds and apportionments \$400 million, \$300 million, and \$200 million, which is roughly 44 percent, 33 percent, and 22 percent, respectively, thus giving a little more emphasis to the secondary roads and the urban roads, although still giving 44 percent to the primary system which remains after taking out the Interstate System.

Mr. GORE. I thank the Senator from South Dakota.

I wish to point out one additional factor with respect to the urban extensions. The very fact that the Interstate System is to be constructed with its relocation circumferentially around large municipalities creates problems for the urban interconnections and creates a greater need for Federal aid to urban highways, which I do not think the provisions of the House bill at all recognize or could possibly meet. I have some doubt that the provisions of the Senate committee bill are adequate in that regard.

I do not wish to dwell at great length upon this matter, because there are a number of other differences between the two bills which in the course of my remarks I shall undertake to set forth, in order that Senators who may listen to the debate or who may read it in the RECORD tomorrow can have a clear, clean-cut decision to make as between the two bills.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARLSON. The Senator from Tennessee has just mentioned the need for the urban connections, as to which I think we are all in accord. I believe testimony was presented to the Committee on Finance that 55 percent of the funds which we are allocating in the trust fund for the Interstate System will be spent within cities or in what are called urban areas. Can the Senator give the Senate any information about that?

Mr. GORE. A large part of the Interstate System will be through and around the municipal centers. That, however, does not forestall the need for urban interconnections between the newly located highways and the existing primary and secondary routes coming into and going out from the municipalities, into which and around which the interstate system will be built.

Mr. CARLSON. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. CARLSON. I am in accord with what the Senator has just said about the need for connections on the Interstate System, which was laid out some years ago. The amendment written into the bill by the Committee on Finance, enlarging the system by 2,500 miles in order to take care of newly and urgently needed connections, is important because, as I understand, 39,990 miles of the Interstate System actually were laid out, leaving only about 100 miles which would be available for distribution to new defense locations which want to connect with the Interstate System.

Therefore, the Committee on Finance, in section 111, increased the mileage by 2,500, thus giving the Bureau of Public Roads, and the States something on which to work in trying to determine the amount of the increase needed to take care of situations where new defense industries or other industries want to be included in the system. Having served as the Governor of my State, I may say that the State highway commission of Kansas was given leeway to shift some of the mileage in the State. I do not think it can be tied down tightly. I am in accord with what the Senator has said so far as the urban roads are concerned, but I think the addition of 2,500 miles will not be sufficient to provide the needs of various States. For instance, in my own State there are communities which should be on the Interstate System. If we limit it to 40,000 miles, they never will be.

Mr. GORE. The Senator from Kansas has pointed up another difference between the House bill and the Senate committee bill, to which I shall presently come. However, I wish to suggest to him that in doing so he has also pointed up the need—the imperative need—for providing additional funds for urban interconnections. As the Senator has pointed out, all of the 40,000 interstate mileage has been designated. That being true, when a circumferential route is built around a city and there is no mileage which can be designated as interstate, so as to build the urban interconnections and through routes, then on what do we rely? We can rely only on funds provided for the urban system. Yet the House bill provides only \$25 million additional money, not only for urban, but also for secondary and primary roads; not only for interconnections, but for all purposes.

I say that the Senate will want to consider that fact. We must have a balanced highway program. I cannot say that the Senate committee bill is perfect. Of course not. But it represents the result of the longest hearings a committee of Congress ever held in regard to highway legislation. The bill came from the committee with bipartisan support. The amendment was recommended by the Senate Public Works Committee as a substitute for the House bill by a vote of 11 to 2.

I now come to the second difference between the two proposals, to which the Senator from Kansas has already referred.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LANGER. I was thinking of the State of Montana, where there are cities such as Miles City, Missoula, and the largest city in the State, Great Falls. Does the Senator really believe that 2,500 miles are ample to take care of connections between such cities?

Mr. GORE. No; I do not. I believe the committee may have erred in failing to increase to a greater extent the interstate mileage. A very good case was made, and can be made, for increasing the interstate mileage to 48,000. The committee decided to recommend an increase of 2,500 miles, making the total 42,500 miles. I believe that is inadequate. It will, however, take care of some pressing needs, particularly in and around municipalities and for connections of some of the principal cities which are not now connected by interstate highways.

But I call the Senator's attention to the fact that the House bill provides for no increase whatsoever. So as between the Senate proposal and the House proposal, I would say 42,500 miles, though inadequate, is to be preferred to 40,000 miles.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. The point which the able Senator from North Dakota has raised is of special interest to me. If the Senator will examine the map at the back of the Chamber, he will note that there is a designation for a route from the Canadian line to Fargo, where it joins the East-West Highway and there terminates. At the same time there is a north-south road which goes from Kansas City up to Sioux Falls and there terminates. Anyone who will look at the map will have to agree that it would be logical to continue the route from Sioux Falls, S. Dak., north to Fargo, N. Dak.

I know the State Highway Commission of North Dakota in requesting the Bureau of Public Roads to consider that as an additional designation. It is not logical to have a road go from Fargo to the Canadian border. This does not connect any States. It should go south from Fargo to Sioux Falls, S. Dak. I know that anyone looking at the map will notice that there is a great distance, between the Twin Cities and some point in western Montana or Idaho, where there is no north-south route. The logical conclusion would be to extend the road, which runs south from the Canadian border to Fargo, to Sioux Falls, S. Dak., and then from Sioux Falls to Kansas City.

Mr. LANGER. I agree with the Senator from South Dakota. There has been a need for years for a north-south road in that area.

Mr. CASE of South Dakota. One of the purposes of the Interstate System supposedly was to connect State capitals. Even though North Dakota and South Dakota are sister States, and originally belonged to the same Territory, there is not any north or south connection between the two States.

Neither is there any connection between the State capitals.

Mr. CHAVEZ. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield to the chairman of the committee.

Mr. CHAVEZ. With reference to a road from the Canadian border south, does not the U. S. Route 57 start on the Canadian border and go through the Dakotas, Colorado, and eventually to El Paso?

Mr. CASE of South Dakota. I think Route No. 85 does.

Mr. CHAVEZ. Route No. 85.

Mr. CASE of South Dakota. Route No. 85 and Route No. 83 do, but those are on the primary systems. They are not on the Interstate System, and consequently do not have a very high standard of development or very high priority.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Is it not true that it will probably be necessary, every 2 or 4 years, to make a resurvey and add interstate mileage, because the population in the United States will shift? There will be a greater concentration of population in places that we do not think of at the present time. Does not the Senator believe it will be necessary to make a resurvey and probably add to the Interstate System every 2 or 4 years?

Mr. GORE. I agree with the Senator.

I should like to say to the Senate that it was in recognition of that point of view, which was advanced in the committee by the senior Senator from Pennsylvania, that the committee decided to recommend an increase in Interstate System of 2,500 miles. The committee did not reach, as I recall, any determination that the 2,500 miles would be sufficient for any given period of time, but felt it was necessary for the immediate and foreseeable future. I agree thoroughly with the Senator that, even if the 2,500 additional miles is agreed to and written into the bill, within the next 2 or 4 years the Congress will be reconsidering and reexamining that particular phase of the law.

Mr. MARTIN of Pennsylvania. Is that not also a very good reason to review the allocation of interstate highway money and to review the whole road program probably every 2 or every 4 years?

Mr. GORE. It is one of the reasons, but there are many more.

Mr. MARTIN of Pennsylvania. There are many more reasons.

Mr. President, if the Senator will yield further, I should like to say it is my recollection that there are six State capitals which are not on the Interstate System. Is that correct?

Mr. GORE. I am not advised of the correctness of that statement at the moment.

Mr. CASE of South Dakota. That is approximately correct.

Mr. MARTIN of Pennsylvania. I know there are several State capitals that are not on the Interstate System.

There are also a great number of communities with a population of 50,000 and more that are not on the Interstate System.

Mr. GORE. Yes; there are several of those.

Mr. MARTIN of Pennsylvania. We have been referring to various sections of the country. We feel there should be a road from some point in western Pennsylvania, south to Florida, because so many of the people of Pennsylvania take such a trip at the present time, and today there is no direct interstate road from western Pennsylvania to Florida. In the future I believe we shall have to give consideration to such matters.

But, Mr. President, it seems to me that at the present time we have a very good approach to the problem. However, all of us must agree that in the very near future, and probably very often in the future, it will be necessary to make re-surveys, because our population and the number of motor vehicles using the roads probably will increase much more rapidly than we estimate at the present time.

Mr. GORE. In other words, if I may ask a question of the Senator from Pennsylvania, like the junior Senator from Tennessee, the senior Senator from Pennsylvania thinks that if the committee erred, it was in not going a little farther; is that correct?

Mr. MARTIN of Pennsylvania. Yes, I think that is correct.

Mr. ALLOTT. Mr. President, will the Senator from Tennessee yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. GORE. I yield.

Mr. ALLOTT. I think the Senator from Tennessee will recall that last year, when the bill was under consideration and discussion in the Senate, it was the senior Senator from Colorado [Mr. MILLIKIN] who led a considerable portion of the debate regarding the addition of 2,500 miles to the Interstate System.

Mr. GORE. Yes, and I recall that the junior Senator from Colorado [Mr. ALLOTT] also contributed ably.

Mr. ALLOTT. I appreciate the Senator's courtesy. We appreciate very much the part the junior Senator from Tennessee played in that connection.

A brief examination of the map will indicate quite adequately one of the great, fundamental defects of the present system; namely, that in Colorado, although we have one north-and-south route, and although Highways 6 and 24 end in Denver, yet between the great western portion of the State of Colorado and into Salt Lake City, the needed, vital connection has no designation whatever. The Senator from Pennsylvania is pointing to it on the map at this time. In addition, the designation of Highway 30 and Highway 60, to the south, has put the State in what actually is an unfair economic position, although we do not wish to say or to imply that either of those highways is unnecessary. They are necessary, and they should not be disturbed.

However, I merely wished to make the point here; and the Senator from Tennessee will recall that at the hearings on the bill during 1955, former United States Senator Edwin C. Johnson, of Colorado, as well as the senior Senator from Colorado [Mr. MILLIKIN] and many others, appeared and, I believe, were the first among those who pointed out the need for additional highways to the Interstate Federal System.

Mr. O'MAHONEY. Mr. President, will the Senator from Tennessee permit me to ask a question of the Senator from Colorado?

Mr. GORE. I yield for that purpose.

Mr. O'MAHONEY. Does not the Senator from Colorado know that the best way to reach Salt Lake City from Denver, particularly in the case of tourists traveling on the interstate highways, is to go by way of Cheyenne, over the Lincoln Highway? [Laughter.]

Mr. ALLOTT. If I were going to do it, I could not possibly avoid looking at the beautiful scenery in Colorado. Of course I admire very much the Senator's State of Wyoming, and I wish to say that we have no quarrel as to either Highway 30 or Highway 60. As we see it, both of them are necessary links in the Interstate System. But if the Interstate System is going to be complete, then the great paradise which is western Colorado should not be deprived of an interstate road.

Mr. O'MAHONEY. Is the Senator from Colorado speaking of the paradise in the form of the proposed tunnel through the Rocky Mountains?

Mr. ALLOTT. Of course I do not know whether that tunnel when completed, will be a paradise or not.

I thank the Senator from Tennessee for his courtesy in yielding.

Mr. GORE. I thank the Senator from Colorado for the contribution he has made.

Mr. President, I recall the debate of last year. There are many areas where additional mileage on the Interstate System is needed. I am sure that when the Senator from Colorado referred to the need in his State, he did not do so to the exclusion of the need in other States, or did not intend to do so. In the case of the Interstate System, there are many such needs; and as the Interstate System is constructed as envisioned under this bill, there will be more needs.

I say that because relocations of routes to the extent of as much as 70 percent in some cases are contemplated. As the Senator from Colorado knows, and as the former governor of the State of Kansas [Mr. CARLSON] knows, when a highway is relocated, there are created innumerable needs for the relocation of other highways, particularly in areas adjacent to municipal centers.

So the construction of this highway will bring about a need for the designation of many additional miles of highway; and I dare say that will be true in the case of every State in the Union. Of course I could with some pleasure and anticipation stake out a claim for some additional mileage on the Interstate System within the State which in part I have the honor and privilege of representing.

Mr. ALLOTT. Mr. President, will the Senator from Tennessee yield further to me?

Mr. GORE. I yield.

Mr. ALLOTT. I am sure the Senator from Tennessee would be justified in doing what he has suggested. He has correctly stated my position, which is that I do not feel that what I have proposed should be done to the exclusion of the needs of other areas. Certainly there are definite needs. That is why the Senate in its wise discretion—and I think the Senate acted wisely—made provision for the addition of 2,500 miles, last year. That was not to the exclusion of other mileage, because there is need for other circumferential highways, connecting links, and so forth. I merely wished to call attention to this fact.

Mr. GORE. I thank the Senator from Colorado.

Mr. CARLSON. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CARLSON. I rise to commend the committee for providing the additional mileage, because, as has been demonstrated in the course of the colloquy on the floor of the Senate, not only is there a demand for increased mileage, but there is also definite need to increase it so as to make certain connections. When that is done, I think we must bear in mind that that will place an additional burden upon the funds.

For the RECORD, I should like to point out that when the increase was made from 40,000 to 42,500 miles—and now I read from pages 17 and 18 of the report of the Senate Committee on Finance:

This additional 2,500 miles (as well as any other authorizations in the future) may at some time require the extension of the financing provisions of the highway revenue bill beyond June 30, 1972, or require the imposition of additional taxes. Approved projects on any part of the presently designated Interstate System, or any subsequent additions thereto, shall be eligible for financing under this act.

I think that is a very fine statement which shows foresight on the part of the committee, and I commend the committee for it.

Mr. GORE. I thank the Senator from Kansas.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield briefly to me?

Mr. GORE. I yield.

Mr. CASE of South Dakota. On the point of the effect of the addition of 2,500 miles in the case of the financing, let me say that as a practical matter it will merely mean that if we apportion the funds so as to complete the construction of 40,000 miles in 13 years, probably at the end of that time there will be 2,500 miles of the lowest priority which will be built after the end of the 13 years, unless in the meantime we increase the basis of the apportionment. But it is entirely possible that if some of the estimates of need are as fantastic as individual illustrations indicate, we might be able to build 1,000, 1,500, or 2,500 more miles within the authorizations here contemplated. No one can tell that now. In any event, that would not disrupt the program, but would merely mean that

the miles of roads which would be the last to be built—that is to say, those of the lowest priority—would be those for which the cost was in excess of the apportionments.

It must be remembered that each State submits its proposals or projects, so the projects of highest priority would be built first. That would be true whether 4,000 miles, 40,000, or 42,500 miles were designated. The priority rests with the State highway commission as to the projects which it submits to the Bureau of Public Roads.

Mr. GORE. I thank the Senator.

In that connection I invite the Senator's attention to the fact that in the debate earlier today the junior Senator from California [Mr. KUCHEL] and also both Senators from Indiana seemed to think that if some State transferred up to 20 percent of its interstate apportionment to urban, primary, or secondary roads, that would be a terrible calamity for the country. There may be an urgent need for some transfers between the various categories of highways. I would not want it to go so far as to bring about an inequitable situation, but let us remember that when we undertake to assume the attitude that the spending of some Federal money on primary, secondary, or urban roads is a bad thing for the country, we should remember that the bulk of the money under this bill is for the interstate highways, on which travels only one-seventh of the traffic of the country.

Mr. CAPEHART. The Senator is not advocating, is he, that under the Interstate System a part of the money be put into secondary and primary roads? A moment ago the Senator said that it might be a good thing.

Mr. GORE. The bill provides for interchangeability. That does not mean that 90-percent money provided for the Interstate System can be spent on a secondary road, and require only 10-percent matching. It would require 50-50 matching.

Mr. CAPEHART. Is not the Senator seeking to do by indirection that which should be done directly? Are we not hiding in the bill a great deal of money which will go into secondary and primary roads, rather than interstate roads?

Mr. GORE. I do not think so.

Mr. CAPEHART. The able Senator almost said as much a moment ago.

Mr. GORE. There is no hiding of funds, and no intent to hide funds. I doubt if very many States will change 90-percent Federal matching money over to 50-percent Federal matching money, unless it is in answer to an urgent need within the particular State. As I recall, the Bureau of Public Roads requested this interchangeability feature. The mass system of roads, comprising millions of miles of highways in the country, cannot be foreseen in all its details—certainly not by the junior Senator from Tennessee, and not by the Bureau of Public Roads. It is a system which must be kept in balance by the various highway departments, the Bureau of Public Roads, and the various county and municipal highway and street departments.

Mr. CAPEHART. Would the Senator be willing to strike that portion of the bill which would permit any State, under the formula, to get more money than it could spend for the Interstate System? Would the Senator be willing to strike the provision which permits taking 20 percent of the total and, by matching it 50-50, spend the money on primary and secondary roads?

Mr. GORE. In the first place, I am not sure that any State would receive, under the Senate committee bill, more funds than it would need to build its interstate system. Earlier I cited the case of my State. The estimates, submitted hurriedly in order to be included with the Clay report, totaled approximately \$380 million.

However, when a careful survey was made, when thorough estimates were prepared, the State found that it would need nearly twice that sum. As I understand, all States are now conducting a restudy of the estimates which they hurriedly submitted. We may find that other States will have an experience similar to that of the State of Tennessee.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. GORE. Let me answer the Senator's question further.

In the event that, perchance, some State is apportioned more funds than it needs, then there will come into operation the provision of the bill which was involved in the debate between the junior Senator from New Hampshire [Mr. COTTON] and the senior Senator from Oklahoma [Mr. KERR]. I refer to the subsection which provides that any apportionment which remains unexpended after 2 years shall lapse and be returned to the Treasury. If it is not spent within a certain State, the Federal taxpayers will not be hurt, and the money will be available for reapportionment to other States.

Mr. CAPEHART. By act of Congress only.

Mr. GORE. That is true. The senior Senator from Pennsylvania [Mr. MARTIN] and I have been discussing a possible amendment to that provision, to provide for automatic reapportionment. Would that please the Senator?

Mr. CAPEHART. Mr. President, will the Senator yield to me for a question?

Mr. GORE. Would that satisfy the Senator?

Mr. CAPEHART. That would be very helpful, of course. But what would happen to a State such as Indiana, whose estimate was \$926 million? That figure has been reduced by \$324 million. Suppose the estimate of \$926 million was correct? How are we to get the additional \$324 million to complete the interstate highway system in Indiana?

Mr. GORE. The Senator is asking me a hypothetical question. He is presuming that the estimates within the State are entirely too high.

Mr. CAPEHART. No. I am assuring that the estimates are exactly right.

Mr. GORE. The Senator is assuming, for the sake of the question—

Mr. CAPEHART. I am assuming that the estimates are exactly right. Under the Fallon bill Indiana would be given

\$926 million. That was the estimate of the Indiana highway officials. Under the Senate version that figure has been reduced by \$324 million. My question is this: If the estimate of \$926 million is correct how are we to get the other \$324 million to finish the 1,100 miles we shall be required to build in Indiana?

Mr. GORE. In the first place, 1,100 miles, at an estimated cost of \$900 million—

Mr. CAPEHART. The estimate is \$926 million.

Mr. GORE. I must say that that is a rather healthy estimate.

Mr. CAPEHART. I do not know whether it is or not.

Mr. GORE. If someone will use a slide rule and determine how much a mile that represents, it may be found that Indiana has duplicated the experience of New Jersey.

Mr. CAPEHART. It will be found that Indiana is one of the States which will require 4, 6, and 8-lane highways, because all the traffic between the East and Chicago comes through Indiana. I should like to have the Senator answer my question, if he can. If the cost is \$926 million, as estimated, where will we get the other \$324 million to build what we should build in Indiana?

Mr. GORE. It is to be presumed that the Federal Government will provide 90 percent of whatever the cost may be within a State. Obviously the Congress would have to apportion more funds to complete the system within the Senator's State. It does not necessarily follow, however, that we must start a program which would give to the Senator's State or to any other State an undue share of the money.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. GORE. In a moment, if the Senator will permit me to proceed. The formula in the present law allocates to the States two-thirds of the money on the basis of population, one-sixth on the basis of area, and one-sixth on the basis of star and post road mileage within the State. The Senator's State is a populous State; it is a rich State; it is a State in which there is a considerable amount of interstate mileage. The formula should give to his State its fair and proportionate share of the money.

Mr. CAPEHART. I do not believe it does, because I am sure Indiana is one State in which the roads will have to be at least 4 lanes wide, and possibly 6 lanes, and some perhaps 8 lanes. That is not true of Tennessee.

Mr. GORE. It is true of Pennsylvania. Every mile of interstate highway in Pennsylvania, as the survey shows, will have to be a minimum of four lanes. Would the Senator substitute for the present formula, imperfect as it is, an apportionment which would penalize Pennsylvania in order to be more generous to Indiana?

Mr. CAPEHART. I would not like to see any State penalized. All I desire is to see a formula worked out under which the Federal Government will pay 90 percent of whatever constructing the roads costs in a State; no more and no less. I do not want the Federal Government to pay more, and I do not want the Federal

Government to pay less. If we find that in a Rocky Mountain State, for example, where it is necessary to go through mountains or over mountains, it will cost a great deal more, I want the Federal Government to pay 90 percent of the cost, and the State to pay 10 percent; no more and no less. I do not want any of the money left over, as suggested by the Senator from Tennessee, as a result of which 20 percent can be allocated to some other road system. That ought to be taken care of in another measure, not in the pending bill. Perhaps we can work the matter out on the floor, although I doubt it.

Why was it not possible for the committee to write a formula whereby the Federal Government would pay 90 percent of whatever the cost might be, the State to pay 10 percent of whatever the cost might be, with the Federal Government approving the cost before the contract was let, and the Federal Government auditing and approving the cost after the job was finished, then giving the State a check for 90 percent of the cost and requiring the State to pay 10 percent of the cost? Why could not that be worked out?

Mr. GORE. The Senator's suggested formula undoubtedly has merit. If after consideration the committee had found that it was better than the provision contained in the bill, I dare say the committee would have adopted it. The Senator has suggested the formula on the floor of the Senate. I have not had an opportunity to study it; nor has the committee. If the Senator has tables prepared showing how it would affect the various States, I am sure the Senate would desire to consider his proposal.

Mr. CAPEHART. It never entered my mind that the bill did not do exactly what I have described, because I thought we were going to build 40,000 miles of interstate highways, that the Federal Government was going to pay 90 percent of the cost and that each State was going to bear 10 percent of the cost, based on 100 percent of what the actual cost was, after careful auditing and after careful contracting for the construction of the highways. It never entered my mind, until I saw the bill, that the Government would be asked to do anything else than pay 90 percent of the cost, so far as the Federal Government's share was concerned, because almost every mile of highway in the United States has a different cost. That is due to different terrain conditions, and the different number of lanes of highway which are required in the various States.

Mr. GORE. I hope the Senator will not completely overlook the fact that the taxpayers of all the United States will contribute to the interstate system. I hope he will not overlook the second point, namely, that what is proposed is a system of Federal aid to States.

Mr. CAPEHART. That is correct.

Mr. GORE. And that it is primarily, therefore, a State's responsibility to submit a plan for the construction of highways which meet given standards. The Bureau of Public Roads, under the present law, has sent to the States minimum

standards of construction for the Interstate System.

Mr. CAPEHART. Yes.

Mr. GORE. I emphasize minimum. Those standards refer to roadbed, the thickness of the pavement, the quality of the surfacing, the grade, visibility, degree of curvature, and drainage. Some States, as has been the experience of the past, may wish to exceed those minimum standards. That would greatly affect the cost of the road. Some States may want to construct 6 lanes on segments of the highway on which the Federal Bureau of Public Roads would approve 4 lanes. Therefore, we must have some formula to govern if we are to continue a system of Federal-aid highways.

If we wish to have a Federal highway program for the Federal Government, the Government to design the highways, to locate the highways, to finance the highways, and to construct them, then the formula which the Senator from Indiana has suggested might be a very good one.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. GORE. I should like to go a little further before I yield. The formula which the Senator from Indiana has suggested undoubtedly has merit even when applied to the present Federal-aid system. I for one would be willing to give it consideration and ask the committee to consider it. I doubt, however, if the Senator would want to press for adoption on the floor of the Senate his formula to which the committee has given no consideration at all. I submit to the Senator that the Bureau of Roads has considered about 100 different formulas, I believe they told me. No formula works out perfectly for all 48 States. The committee formula has the advantage of having worked for 2 years without serious complaint. It has the advantage of being a legal formula for the handling of the vast amount of money involved.

Mr. BUSH and Mr. CAPEHART addressed the Chair.

Mr. GORE. I should like to proceed for just another moment, before I yield. Then I shall be happy to yield.

The bill also contains a provision, to which I have already alluded, requiring that when a State has completed its Interstate System with the exception of the 20 percent transferability—and if the Senator wishes to strike out that provision, I am sure the Senate will reach its decision and conclusion upon that question—every dollar lapses into the Treasury and will be available for reapportionment to Indiana and any other State which has not completed its system.

Mr. CAPEHART. That is just the point. Under that system some States will get more than they can use, and they can go into the 20 percent which will be returned to the general fund—

Mr. GORE. Not the general fund.

Mr. CAPEHART. It goes back into the Treasury.

Mr. GORE. Into the Treasury; yes.

Mr. CAPEHART. On the other hand, an adjoining State which does not have enough money will not be able to com-

plete its construction. Therefore, as a person travels across the country from New York to California, he will pass through one State where the system has been completed; then through another State where two-thirds of it, perhaps, has been completed, because the State has not had enough money given to it; then another State in which three-fourths of it has been completed. Under the proposed system that it what will happen. I cannot understand why the easiest thing to do would not be simply to say, "The Federal Government will pay 90 percent of the actual cost." In other words, the Federal Government should approve the actual cost before construction starts, audit the books when construction has been completed, and then pay 90 percent of the cost. I do not know how in the world we can do otherwise.

Mr. GORE. It would appear to me that there is one basic question involved; namely, the constitutional responsibility of the Congress to make appropriations.

Mr. CAPEHART. Congress would be making appropriations.

Mr. GORE. Congress must discharge its constitutional responsibility in this regard. If the Senator would be happier if we struck out the transferability clause, I should be glad to ask the members of my subcommittee their attitude regarding it. I suggest, however, that the relocation of the Interstate System—and I point out to the Senator, again, that it involves up to 70 percent of relocation on some routes—will create many unforeseeable problems which will make desirable the provision for 20 percent transferability. It may be that we should make it 10 percent.

Mr. CAPEHART. That same situation may well exist in a State such as Indiana, which is not going to get enough money to complete its Interstate System. It, too, may have the same problem, and it will not only not get money for its primary, secondary, and urban roads, but will not get enough to complete its Interstate System.

All I am suggesting is that the Government contribute 90 percent of the actual cost and treat all States exactly alike. The Government would simply contribute 90 percent of whatever the cost might be in the several States.

Mr. GORE. I wish to point out to the Senator from Indiana that under the Senate committee bill, in the first year, \$28 million would be apportioned to the State of Indiana. In the second year, in 1958, \$42 million would be apportioned to the State of Indiana.

I wish to point out also that the House bill—I am not sure that the Senator is satisfied with the House bill, but he has cited it—there is only a 2-year apportionment. Beyond the 2-year apportionment, the senior Senator from Indiana would be buying a pig in a poke.

Mr. CAPEHART. All I am pleading for is that whatever it costs to build 1,100 miles of road in Indiana, according to specifications to be approved by the Federal Government, the Federal Government will give a check for 90 percent, and the State will give a check for 10 percent, no more and no less. I

wish to provide the same for all the other 47 States. If it is going to cost Pennsylvania twice as much money as was originally estimated, then I want Pennsylvania to get the money.

Why is not that the most simple, the most businesslike, the fairest, the quickest, best, and easiest way to handle the problem?

Mr. GORE. It is obvious now that neither the House bill nor the Senate committee bill will meet the requirements of the senior Senator from Indiana. I am not prepared to say that his suggestion is not very meritorious, but I must say that it has never before been suggested to the committee. I am not prepared either to reject it or accept it. I am prepared to suggest that the committee give it consideration.

Mr. CAPEHART. Why can we not take the figures in the House bill, some of which may well be too large and some may be too small, and use them as a basis, then write into the law that whatever may be the actual cost the Federal Government will pay 90 percent of it? If the figures are too large, they will automatically be reduced; and if they are too small, they will be automatically increased. That would be a very simple and easy way to handle it.

Mr. GORE. I am not sure that it would be either simple or easy. Nor am I sure it would be in conformance with the constitutional responsibility of the Congress. It is my view that we must have a government by law. I think contributions so vast as those encompassed in either the House bill or the Senate committee bill must be distributed according to legal requirements and according to a formula written into the law.

Mr. CAPEHART. I think my suggested formula is both legal and easy to apply. It is a formula which provides that whatever the cost may be the Federal Government will approve it in advance; and when the contract has been finished, it will audit the books and make certain that the specified amount, no more and no less, has been spent. Then the Government will give a check for 90 percent of that amount. That is controlling the purse strings more than is the formula which the Senate committee reported, because it is on the basis that some States need more than others. It was even anticipated, because there is a section saying that if a State gets more than it can use for the Interstate System 20 percent of it may be used for the primary and secondary roads. So the committee knew that some States would get more than they could use. Otherwise that section would not be in the bill.

Mr. GORE. If the Senator will reduce his amendment to writing, I am sure the committee will give it careful consideration.

Mr. CAPEHART. Would it not be much better to recommit the bill and let the committee work out the details, rather than try to do it on the floor of the Senate?

Mr. GORE. I would not be prepared to make that suggestion.

Mr. POTTER. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. POTTER. I think probably the basic difference between the two Senators is that the Senator from Tennessee is talking about an allocation of money and the Senator from Indiana is talking about a completed highway system.

The State of Michigan is in the same position as is the State of Indiana. We will complete only 65 percent of our Interstate System. We know the mileage of our Interstate System. We wish to have all States carry on in a uniform manner. Under a 13-year program the States will contract for the building of one-thirteenth of the system each year. As the distinguished Senator from Indiana has stated, the contract has to be approved by the Bureau of the Budget, anyway, and upon approval of the contract, the allocation of funds can be made, one-thirteenth of it each year.

The estimates in the House bill as to the cost of construction may very well be padded in some States, but we would eliminate the fat from those estimates, because the Bureau of the Budget would have to approve the contracts, and if they were padded, the Bureau of the Budget could refuse the contracts and ask for rebidding. It seems to me that would facilitate the handling of the allocation of funds; much more so than the formula provided for in the Senate committee bill.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. The Senator from Michigan has made a very interesting suggestion, but the practical difficulty is that the Treasury would never know accurately what would be required from it because of the varying mileage. Each State, the first year, would provide one-thirteenth of the most expensive mileage, the next year the next most expensive 13th, in terms of mileage, and the next year, the next most expensive 13th. The heavy demand for money would come during the early part of the 13 years. The projects of less cost would come at the end of that period.

Mr. GORE. Mr. President, if the Senator will permit me to interrupt, we have no assurance that the respective States would be prepared to construct highways in given yearly segments.

Mr. CASE of South Dakota. In terms of miles, there is a great variation, of course, between rural miles and urban miles in the Interstate System.

Mr. POTTER. The allocations are based upon a 2-year period. We have no assurance that the States will be prepared or able to use all the funds allocated during the 2-year period. Some may and others may not.

Mr. CASE of South Dakota. The expenditures would not be so heavy the first year, under the Senate committee bill.

Mr. GORE. By what reasoning does the Senator from Michigan assume, if he does assume, that the provisions of the House bill would bring about the completion of the Interstate System within his State?

Mr. POTTER. The formula in the House bill is on a mileage basis, accord-

ing to the number of miles of interstate highway within the State.

Mr. GORE. Can the Senator from Michigan show us that provision? I am afraid he is grossly in error. There is only a 2-year apportionment in the House bill.

Mr. POTTER. At the end of 2 years the estimate is reviewed.

Mr. GORE. That is correct. Beyond the 2 years there is no provision for apportionment to his State or to any other State.

Mr. POTTER. That is correct.

Mr. GORE. The distinguished junior Senator from New Hampshire [Mr. COTTON], in a colloquy earlier today with the junior Senator from California [Mr. KUCHEL], was eminently correct in the positions he took. The apportionment formula provisions of the House bill do not go beyond a 2-year period.

If the Senator from Michigan wants to assume that after 2 years Congress will act to the complete satisfaction of his State, he is privileged to make such an assumption. But it is not written into the House bill.

I say in all candor to the Senator from Michigan, and to other Senators who may have doubts about this point, that in my opinion, whatever apportionment formula may be written into the law will not only be subject to review repeatedly, as the junior Senator from New Hampshire has said, but very probably it will be changed to meet the needs as we can foresee them then better than we can foresee them now. I have felt all along that 5 years is about as far as we can safely foresee the Nation's traffic pattern; about as far as we can safely undertake to determine apportionments.

However, to meet the fiscal requirements of the program, we have extended the apportionment formula to the full 13-year period, but with the expressed intent within the committee report—and I say it now on the floor of the Senate—that that formula will be subject to review and amendment to meet the problems in the minds of the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Michigan, and other Senators.

However, even if that be true, as I believe it to be, it is still basically sound, and I think a requirement of the democratic processes, that we have the program on the sound foundation of a legal formula for distribution and allocation of the funds.

Mr. POTTER. The Senator from Tennessee is correct. Congress at any time can, and probably will, review and amend any highway act or any other piece of legislation. But we are today asked to vote on a bill to provide an Interstate Highway System.

According to the Senate committee bill, the projected plan would build 65 percent of the interstate highway system in Michigan. The Senator can say, "Yes, but Congress can review it later, and perhaps take care of the other 35 percent."

The Fallon bill provides a 2-year period for allocation, but at least it is the purpose of that bill to construct an interstate highway system in 13 years—not 65 percent of an interstate system in

Michigan or 70 percent in Indiana, but a complete Interstate Highway System.

Mr. GORE. That is the purpose of the Senate committee bill, too.

Mr. POTTER. The Senate committee bill provides for a partial Interstate Highway System within certain States and a complete system in others. It will require additional effort on the part of Congress to provide additional funds for those highways.

Mr. GORE. I find it particularly abhorrent to start the apportionment of funds in this vast program on the basis of wild estimates.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. GORE. Not at the moment.

Perhaps I have used too strong a word in calling the estimates "wild"; perhaps I should have said they were made on the basis of estimates which the Bureau of Public Roads itself has said are totally lacking in uniformity. I shall state to the Senator exactly what the Bureau of Public Roads said about these estimates.

To start the distribution of vast sums of money on the basis of what some particular individual says he may need or wish or desire is a fallacious principle. I agree with much of what the Senator from Michigan has said to the effect that a review will be necessary, but I do not think such review necessarily requires the initiation of the program on a wholly unsound basis. This is what the Bureau of Public Roads itself says about the estimates to which the junior Senator from Michigan seems to attach some importance:

The term "needs" likewise requires explanation. It is a word widely used in recent years to denote construction backlog. Amounts cited as needs sometimes refer to the cost of complete modernization as of a given moment; sometimes they cover a construction program stretching over a period of years.

Some estimates are based on the needs of current traffic; others take future traffic fully into account.

There are variations, too, in the specifications of design standards, and there are differences in their application—one study may permit no deviations, while another will accept large deviations or tolerances.

According to the best estimate within the State which I have the honor, in part, to represent, carrying out the formula of apportionment under the Senate committee bill would not complete the highways in Tennessee, either. But I say to the Senator from Michigan that this program, in my opinion, may not be completed in 13 years. It may take 15. But if we start on a sound basis with the determination to complete the Interstate Highway System, and provide in the law a legal basis for apportionment, and include language that when the State has completed its system, its funds will lapse, and will be reapportioned to other States, how much better can we do?

Mr. BUSH and Mr. CAPEHART addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. GORE. I must yield first to the distinguished Senator from Connecticut,

a member of the committee, who has asked me several times to yield.

Mr. BUSH. The Senator's formula, if I understand the situation correctly, is designed to apportion approximately \$25 billion, which is arrived at in the House calculations or in the House table. The estimates are made by the different States coming together, so to speak, in the House table, and they total \$25 billion. The House bill apportions the funds on the basis of the estimate of relative cost.

Mr. GORE. For 2 years.

Mr. BUSH. For 2 years. The formula of the Senator from Tennessee is based on the same amount of money, arrived at in exactly the same way. But the Senator's formula does not give any protection against erroneous estimates which might have been made and used in connection with the Fallon bill. Is not that so?

Mr. GORE. That is true; but it has the advantage of not apportioning the funds on the basis of fallacious estimates.

Mr. BUSH. I believe it apportions dollars on the basis I have indicated.

Mr. GORE. It authorizes a similar overall total, but it does not authorize the apportionment of funds on the basis of erroneous estimates.

Mr. BUSH. It uses the same estimate as a basis for apportionment. It takes the figures from the House bill—\$25 billion—and then apportions those dollars on the basis of the Senator's formula. Is not that so?

Mr. GORE. The Senate version of the bill, as the Senator knows, preceded the House bill.

Mr. BUSH. That is right. Of course, the Senator's formula preceded the House bill, because he worked that out in 1954, as I recall, and he worked it out to apply to a \$175 million program for interstate highways. Now the Senator is taking his formula and applying it to a 13-year National System of Interstate Highways which it is estimated will cost \$25 billion, when the formula was never designed to deal with that kind of situation at all. It was designed to deal with a certain number of dollars, and not with a program to complete a system of interstate highways.

It seems to me this is the crux of the situation, and I wish to ask the Senator this question: Is not it true that the greatest difficulty we face in the debate, and which we shall face as we come to voting tomorrow, is to try to get this program off the ground for the first 2 years? As I have listened to the debate all day, I do not believe we shall have too much difficulty if we can get the program off the ground for the first 2 years.

I wish to say to the Senator from Tennessee that I intend to offer an amendment tomorrow. I shall give him a copy of it tonight, and I hope he will give it some study. The purpose of the amendment will be to take the Senator's formula, the so-called Gore or Senate committee bill formula, for the first 2 years, and base it, as he bases it, on apportioning the \$25 billion contained in the House bill, but limiting it so that no State will get more than 15 percent of the estimated cost of building its interstate

highways in the first 2 years, nor less than 10 percent.

I shall submit to the Senator a table which shows how such an amendment will bring the States pretty closely together, but will maintain the basic philosophy of the approach from the standpoint of need. While some States will get a little more and some will get a little less in the first 2 years, the amendment will treat the States altogether quite fairly, and will revert to the general philosophy of the Fallon bill. Then the Bureau of Public Roads will revise or reestimate or readjust, and go ahead on the basis of experience, and not on the basis of guesswork.

Mr. GORE. This is the first time I had heard of this particular suggestion, and I appreciate the willingness of the Senator from Connecticut to let me have a copy of it overnight.

Mr. BUSH. I may say to the Senator, if he will permit me, I did not intend to take him by surprise. This is not something I have had worked out for some time. I have had it worked out only in the last day or two. This is the first opportunity I have had to bring it up. I sent it to the desk a while ago. I have some copies on my desk.

Mr. GORE. If I may hazard a quick reaction—and I hope it will be regarded only as a quick reaction—it seems to me the Senator's suggestion for the first 2 years has considerable merit, in that it not only preserves the principle which he desires to have preserved, but also preserves that which I think is imperative in the program—a legal formula for application. I doubt, however, that 2 years is a sufficient time to enable Congress to evaluate the program, because almost 2 years will necessarily elapse before any widespread construction is under way. As the Senator knows, it takes a long period to make surveys, to acquire rights of way, and to let all the contracts, with all the safeguards which will be necessary under so vast a program.

If the Senator would extend the period to 5 years instead of 2 years, he would, in the opinion of the junior Senator from Tennessee, be making a suggestion which would be of great value in the consideration of the bill.

Mr. BUSH. I thank the Senator.

Mr. GORE. That is only a quick reaction. I would appreciate it if the Senator would confer with me after I have an opportunity to study the amendment.

Mr. BUSH. I thank the Senator for his comments.

Mr. GORE. As the Senator knows, in the Public Works Committee, I took the position that it was my view that an authorization for 5 years was perhaps as far as we should go at this particular time, but then there were the fiscal requirements, under title II of the bill, which had to be taken into consideration.

Mr. BUSH. Those provisions are contained in the bill. They are going to be with us. If we are to complete the system, we will have to go ahead with the tax program which is to provide the money, not only for 5 years, but for the duration of the program.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. I should like to discuss for a moment with the Senator from Tennessee the question of the transfer clause. I think all Senators should bear in mind that the transfer clause had its origin in the recommendation of the State highway officials a few years ago. We are asked to provide a 25-percent transfer as between funds for primary, secondary, and urban roads, and funds for interstate roads. That came at a time when the interstate system was a small part of the total apportionment of the fund. It also came at a time when matching was on a 50-50 percent basis with respect to all the funds. So the question of transferring from the 50-50 percent ratio to a 90-10 percent ratio was not possible.

It also came at a time when there was no distinction made in the purposes of the gasoline tax. The transfer clause was originated, with a 10-percent provision, in the act of 1954. That was the first time a transfer was permitted from one fund to another. Congress did not provide for a 25 percent transfer, but only 10 percent.

Last year, as reported by the committee, there was a proposal for a 20-percent transfer, and it was made applicable to all the funds; but at that time it was also proposed that if there were an increase in the gasoline tax the money accruing therefrom would be at least kept in mind as a possible source of funds for building the Interstate System.

We felt that if farmers were to be taxed on the gasoline they used in their tractors for building an Interstate System, it should be possible to transfer some of that interstate portion of the fund to secondary, or farm-to-market, roads.

Now the situation has changed. The Congress passed, and the President signed into law, a bill to exempt gasoline used in farming operations from the increased Federal tax. Consequently, there is not quite the same equity there would have been to preserve the right of transfer from the interstate fund to the secondary fund. In view of that, I think one of the main arguments for the 20-percent transfer applying to the interstate fund has vanished.

Furthermore, there is the point, which the Senator so ably made a short time ago, that few States will transfer amounts from a fund in connection with which they can get money for 10 cents on the dollar, under the 90-10 ratio, to a category of a fund for roads in respect to which they will have to put up 50 cents on the dollar.

Consequently, it seems to me there would be no great harm done if the bill were amended by deleting the transfer clause, so far as section 102 is concerned. Section 101 is the one which carries the authorization for the primary, secondary, and urban roads. Section 102 provides for the Interstate System.

Mr. GORE. I would react quite favorably to the Senator's suggestion—if he makes it as a suggestion—if we could be assured that the provisions of the Senate committee bill providing more Fed-

eral aid to urban, primary, and secondary roads is included in the final version of the bill. I think the Senator recognizes, as I have indicated earlier, that the relocation and rebuilding of the Interstate System will bring about innumerable needs for extensions and interconnections of other highways to the interstate highways. Does the Senator agree?

Mr. CASE of South Dakota. There is no question about that, and I think all of us who participated in conferences on highway legislation which resulted in the previous act probably felt that some adjustment of this sort might be made in the conference, after we were assured of recognition of the larger allocations proposed in the Senate version for the secondary, urban, and primary road funds.

Mr. GORE. I agree.

Mr. President, I wish to refer briefly to another difference between the two bills. The Senate Public Works Committee's version of the bill does not contain a requirement that contractors for the Interstate System pay prevailing wages. In other words, the provisions of the Davis-Bacon Act are not required to be observed, under the Senate Public Works Committee's version of the bill. Such a provision is contained in the House version of the bill. The chairman of the Senate Committee on Public Works, the distinguished senior Senator from New Mexico [Mr. CHAVEZ] has, however, submitted an amendment—which is the pending question—to include in the Senate version of the bill a provision identical to that contained in the House version of the bill. I shall accept that amendment; and if a yeand-nay vote is taken on the question of agreeing to the amendment, I shall vote for it.

Mr. CHAVEZ. I thank the Senator from Tennessee.

Mr. GORE. Another difference is in respect to the requirement for the observation of weight and dimensional limitations for vehicles traveling on the Interstate System. The Senate Public Works Committee's version of the bill, offered as a substitute for the House version of the bill, provides that—

(d) No funds authorized to be appropriated for any fiscal year by this section shall be apportioned to any State within the boundaries of which the National System of Interstate Highways may lawfully be used by vehicles with any dimension or with weight in excess of the greater of (1) the maximum corresponding dimensions or maximum corresponding weight permitted for vehicles using the public highways of such State under laws in effect in such State on July 1, 1956, or (2) the maximum corresponding dimensions or maximum corresponding weight recommended for vehicles operated over the highways of the United States by the American Association of State Highway Officials in a document published by such association entitled "Policy Concerning Maximum Dimension, Weights, and Speeds of Motor Vehicles to Be Operated Over the Highways of the United States" and incorporating recommendations adopted by such association on April 1, 1946.

A similar provision of the House version of the bill relates only to weight per axle. In my view of the matter, Mr. President, that provision of the House

version is good insofar as it goes; but the safety of highway traffic and the safeguarding of the vast investment of the people of the country in this magnificent system of interstate highways require some realistic limitations on overall weight, width, length, and height, as well as on weight per axle. In other words, I seriously doubt that a per-axle weight limitation alone will meet the need. There are also needs for width limitations, for length limitations, for limitations on the length between axles, for height limitations, and so forth.

Mr. CHAVEZ. Mr. President—

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Tennessee yield to the Senator from New Mexico?

Mr. GORE. I yield.

Mr. CHAVEZ. With reference to the weight and width limitations, this morning I called attention to the matter of accidents. When a poor man who is driving his family in a Chevrolet or a Ford, certainly their lives are jeopardized when, on the highway, he meets a truck which is wider than necessary. That situation involves not only their safety, but also the maintenance of the highway. After all, the cost of the highways is borne by all the people of the country. If vehicles of very great weight and size are permitted to use these highways, they will be destroyed in a year or 2 years, and then the American people will have to rebuild the roads.

So, in connection with weight and width limitation considerations, we must also consider the safety factor. The number of people killed on our highways, these days, is greater than the number of casualties in the World War. Both the weight and the width of vehicles play an important part in connection with the number of accidents on the highways. I am very glad that the able Senator from Tennessee [Mr. GORE], as chairman of the subcommittee, has given consideration to these matters.

Mr. GORE. I thank the Senator from New Mexico. I wish to point out that this particular provision was included in the bill last year by the unanimous vote of the committee. It is not a stringent provision. It embodies the recommendations of the Bureau of Public Roads and the recommendations of the highway officials of the 48 States. However, the provision would allow States having limitations above the standards recommended by the State highway officials and the Bureau of Public Roads still to participate in the program without reducing their limitations. In other words, this provision calls a halt where we are, and recognizes that the safety on our highways and the safeguarding of the people's investment in the pavements and roadbeds require some realistic limitations.

The committee felt that we should adopt a uniform standard of maximum limitations, and then should build the highways so as to carry vehicles of those weights and those dimensions, but should not permit those limitations to be increased, and thus render inadequate and

out of date, before we could complete the highways, the standards by which they are to be constructed.

Mr. KUCHEL. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. KUCHEL. I should like to ask a question; but first I wish to say, as one who completely disagrees with the position taken by the able junior Senator from Tennessee [Mr. GORE], that I do not want the RECORD to indicate that that disagreement on my part interferes at all with my high respect and my great personal friendship for a Member of the Senate who represents, as my colleague does, in my judgment, the finest type of membership in this body.

Mr. GORE. I thank the Senator very sincerely.

Mr. KUCHEL. Mr. President, I believe that in colloquy earlier today with the Senator from Indiana, the Senator from Tennessee indicated that under the Senate Public Works Committee's version of the bill—the so-called Gore bill—he would favor some type of re-examination of the formula 2 years after the bill became a law. Is that correct?

Mr. GORE. I would favor a reexamination at any time; but just now I said to the Senator from Connecticut that I wondered whether 2 years would be a sufficient length of time really to see this program actually in full operation. However, I would wish to see a review made as frequently as the Senate Committee on Public Works and the Congress could possibly have one made.

Mr. KUCHEL. My point is that for purposes of future argument it is true, is it not, that the bill for which the Senator from Tennessee is speaking—namely, the substitute proposed by the Senate Committee on Public Works, or the so-called Gore bill—provides for a 13-year annual apportionment to the States under the 1954 Federal formula. Is not that correct?

Mr. GORE. That is correct.

Mr. KUCHEL. I wish to argue the point that in whatever action we take we need a provision requiring periodic reexamination by the appropriate executive agency, the Bureau of Public Roads.

Mr. GORE. Together with the proper committees of Congress.

Mr. KUCHEL. I would add that requirement.

Mr. GORE. I agree with the Senator.

Mr. KUCHEL. I might even be pleased to consider a requirement that Congress approve by resolution.

Pursuing my thought, some of us would be inclined to offer an amendment at the appropriate time to require such periodic examination of any formula by the Bureau of Roads, subject, as the Senator suggests, to control either by congressional committees or by the Congress itself.

Mr. GORE. I shall certainly be interested to see the Senator's amendment; and if the purpose of it is to guarantee a review by the Congress or the appropriate congressional committees, with the advice of the Bureau of Public Roads, I shall be very favorably inclined toward it.

Mr. KUCHEL. I thank the Senator from Tennessee.

Mr. GORE. I point out that on page 47 of the bill, in subsection (c) of section 112, it is provided as follows:

(c) It is hereby declared to be the sense of Congress that all segments of the Federal-aid highway systems should be improved to standards adequate to meet the needs of national defense and the national economy at the earliest practicable date. The Secretary is hereby directed to submit to the Congress not later than February 1, 1959, a report on the progress made in attaining the foregoing objective, together with recommendations for the extension of the program.

Thus the Senator will see that the bill recommended by the committee contemplates an objective not unlike that now advocated by the distinguished junior Senator from California.

Mr. KUCHEL. I appreciate the fact that, to the extent that it would represent an indication of congressional intent, it is along the lines my friend and I have been discussing. The important point is that in whatever language we begin apportioning moneys for the interstate system for 2 years, I want to see an ironclad guarantee in the bill that there will be such reexamination periodically during the 13-year period.

Mr. GORE. I shall be very sympathetic with that motive, and I hope the Senator will reduce his suggestion to writing.

Mr. President, I have discoursed upon the principal differences between the two bills. I should like very briefly to summarize by naming the principal differences.

First is the difference in the amount of Federal aid for secondary, primary, and urban roads.

Second, the Senate committee version provides 42,500 miles for the interstate system, whereas the House bill leaves the present 40,000 legal limit in effect.

Third, there is a difference in the apportionment formula for the Interstate System. I did not emphasize what I should like to mention now, that with respect to the primary, secondary, and urban highways, the apportionment formula is the same in both bills, and in both bills remains the same as the present law.

Fourth, the Senate committee version does not contain a requirement that prevailing wages be paid on interstate projects. The House bill does. However, the pending amendment, offered by the distinguished chairman of the committee [Mr. CHAVEZ], would make the Senate committee version conform.

Fifth, there are differences in the requirements with respect to weight and dimensional limitations for vehicles traveling the interstate highways.

Those are the principal differences between the two bills. I appreciate the patience of the Senate in hearing me out in this detailed discussion of the differences.

I appreciate very much the courtesy of my colleagues, both members of the com-

mittee and those not privileged to serve on the Public Works Committee.

This is a most important legislative proposal. It involves a program which will mean a great deal to the people of the United States. I trust that the Senate will approve the Senate committee recommendation. Then it is my hope that we can go to conference with the House and merge the 2 bills into a legislative proposal embodying the best of the 2 versions, so that a bill can be sent to the President of the United States for his approval before the end of the fiscal year. I hope such a bill will provide for a vigorous highway improvement program which will bring about a condition of adequacy of our Federal-aid highways, and particularly the construction of a magnificent system of interstate highways connecting all our principal cities.

Mr. BUSH. Mr. President, I should like to compliment the Senator from Tennessee, particularly for the patience with which he has addressed the Senate today, and yielded so generously of his time for questions and observations by all of us. We are all very grateful to the Senator for his capable treatment of the subject and his fine performance this afternoon.

Mr. GORE. I thank my distinguished friend the senior Senator from Connecticut. He is particularly generous, not only in his official attitude, but in his personal attitude. I have very greatly enjoyed my association with him on the committee and in the Senate, and I am very grateful to him for his generous remarks.

Mr. NEUBERGER. Mr. President—

Mr. BUSH. Does the Senator wish to have me yield to him?

Mr. NEUBERGER. I should like to ask a few more questions of the Senator from Tennessee.

Mr. BUSH. I have the floor now. I have been waiting for 6 hours. I shall be glad to yield, with the understanding that I do not lose my right to the floor.

Mr. NEUBERGER. I may be acting under a misapprehension, but I understood that, according to the list on the desk, my name was next.

Mr. BUSH. I do not think the Senator's name was ahead of mine on the list. However, I do have the floor.

Mr. NEUBERGER. I was trying to obtain the floor to ask the Senator from Tennessee some questions as to the allocation of funds for highways in my State. If the Senator desires to have me do so, I shall wait.

Mr. BUSH. No. The Senator misunderstood me. I said I would be very glad to yield for the purpose mentioned, provided I do not lose my right to the floor.

Mr. NEUBERGER. I had presumed that, in view of the fact that a great many Senators desired to speak, the order of recognition would be according to the list at the desk. I was in the Chamber at 10 o'clock this morning, and hoped to make a few remarks on the road bill. However, I thought it was best to wait until the conclusion of the remarks of the Senator from Tennessee

[Mr. GORE], the chairman of the subcommittee and the author of the bill.

Mr. BUSH. I had exactly the same idea. I have been on the floor continuously since 10 o'clock this morning. I do not believe the Senator from Oregon has been here during all of that time. I do not reprove him for that; but, having been recognized, I have the floor, and I should like to avail myself of it.

If the Senator would like to have me yield to him for a few minutes so that he may question the Senator from Tennessee, I shall be glad to yield.

Mr. President, I ask unanimous consent that I be permitted to yield to the Senator from Oregon for 10 minutes in order that he may question the Senator from Tennessee, without my losing the right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. NEUBERGER. Mr. President, I would prefer not to ask questions about the way the road bill would affect my State on the basis of any time limitation. I had been told that the order of recognition would be in accordance with the list at the desk. If the order is to be determined by whichever Senator succeeds in attracting the attention of the Chair and obtaining recognition first, that will create an entirely different situation in the Chamber. Merely for our guidance, I should like to ask the Chair what the situation is with respect to the list.

Mr. BUSH. Has not the Senator from Oregon spoken on the bill already?

Mr. NEUBERGER. No; I have not.

Mr. BUSH. I believe the Senator had the floor previously today.

Mr. NEUBERGER. I spoke for about 4 minutes on another subject. I have not spoken on the highway bill today.

Mr. BUSH. I believe I have been properly recognized by the Chair and that I have the floor. I have been on the floor since 10 o'clock this morning, with the exception of 15 minutes for lunch, and I do not believe any other Senator has spent as much time on the floor as I have today. I have been trying to get the floor all day. If the Senator from Oregon does not wish to avail himself of my offer, I am sorry.

Mr. McNAMARA. Mr. President—

Mr. BUSH. I shall be glad now to yield to the Senator from Michigan [Mr. McNAMARA] for an insertion or for a comment, provided I do not lose the floor. I ask unanimous consent that I may yield under those conditions.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

Mr. McNAMARA. I thank the Senator.

Mr. President, I am delighted to find that many of my colleagues are in agreement that the prevailing wage clause should be a firm part of highway legislation.

This is not something that is new, or radical. The Davis-Bacon Act has been on the Federal statute books since 1935—more than 20 years. Its implementation is not questioned when applied to all direct Federal construction programs, and

the act has been so used for many years, particularly during World War II, without dispute.

The act also is implemented in highway construction programs where the Federal Government contributes 100 percent.

Why, then, should the act not be implemented in a highway program calling for 90 percent Federal contributions? In proposing the pending legislation, the Congress has recognized the fact that local community and State governments cannot possibly provide the total funds necessary to produce the kind of highways we need. It is thus congressional intent that the Federal Government carry the lion's share of the financial burden.

By taking this stand, the Congress also assumes the responsibility for the fair treatment of the hundreds of thousands of people who will actually be building these roads. We cannot permit local groups to determine what is a "fair wage." Too many such groups are either completely unsympathetic to the needs of the working man, or else they have no facilities through which to determine what is the prevailing wage.

I thank the Senator from Connecticut.

Mr. BUSH. Mr. President, I am unalterably opposed to the fund distribution formula in the committee substitute—the so-called Gore bill—because it is deceptive and monstrously unfair.

For the first time in the history of the United States, the Congress is embarking on a program to build a national system of highways—a system urgently needed for reasons of traffic safety, national and civil defense, and for the growth of our economy.

The Gore bill is deceptive because it would never build this national system. It would deceive the American people by taxing them heavily for highways which never would be constructed.

It is deceptive and monstrously unfair because it purports to allocate to 30 States \$4,777,000 more than they could possibly use in the construction of interstate highways. It is monstrously unfair because it proposes to deny to 18 other States and the District of Columbia \$4,852,000 which they need in order to complete the portions of the National System of Interstate Highways which lie within their boundaries.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUSH. I am glad to yield, provided I do not lose my right to the floor.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. BUSH. I yield for that purpose, with the understanding that I do not lose my right to the floor by yielding to the Senator from Tennessee to suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUSH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUSH. Mr. President, the Gore bill is monstrously unfair because it would waste at least \$3,500,000,000 of the American taxpayers' money by freezing it in a highway trust fund where it could never be used. It is monstrously unfair to the American taxpayer because it could permit windfalls to certain States which could total approximately \$1,325,000,000. This could result from provisions permitting transfer of up to 20 percent of interstate funds—for which the new taxes are being imposed—to other highway systems.

The Senate need not swallow this bitter dose of medicine for the American people which is contained in the Gore bill. The Senate has an alternative in the bill passed by an overwhelming vote—388 to 19—by the House of Representatives.

The House bill will build the National System of Interstate Highways in 13 years. It is fair to the American taxpayers and to every State by allocating the amounts—no more and no less—which will be needed to construct the National System. It treats each State fairly by basing payments on costs audited and approved by the Bureau of Public Roads. In no other way can this urgently needed national system be built within a reasonable period of time.

It is my hope that the Senate will reject the Gore bill and join the House of Representatives in fulfilling the desires of the American people by approving an allocation formula which will work—allocations based on cost, allocations which will build highways, treat every State fairly, avoid wastage of the taxpayers' money, and prevent unconscionable windfalls in a few States.

The American people want a completed National System of Interstate and Defense Highways. There can be no question of their desire for this. It is evident from the press; more evident from the support given H. R. 10660 by all of the organizations interested or expert in road problems; and most evident from the overwhelming vote of 388 to 19 by the House when it adopted H. R. 10660.

Why then, should the majority of the committee recommend a substitute which clearly does not give the American people what they desire; that is, a completed National Interstate Highway System? I heard no reasons advanced in the committee, and can think of none that would warrant the United States Senate in not complying with the popular will in this matter.

The substitute will not build the National Interstate System. The reason is simple and obvious. Nineteen States, including the District of Columbia, will not receive enough cash to cover the cost of construction of the National Interstate System in their particular States. The table which appears on page

25 of the committee report indicates the total funds apportioned under the substitute, and the total estimated cost in each State. One State would receive only 38 percent of this estimated cost.

The total deficit in these States would be the staggering sum of \$4,852 million. What are these States to do?

Mr. President, at this point I ask unanimous consent to have printed in

the RECORD a table which appears on page 25 of the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of apportionments for Interstate System under H. R. 10660 as passed by House and as reported out by Senate Committee on Public Works

[Federal funds, millions of dollars]

State	13-year apportionment under H. R. 10660 as—		Comparison of Senate version with need		Percentage of Interstate System needs met by—		State	13-year apportionment under H. R. 10660 as—		Comparison of Senate version with need		Percentage of Interstate System needs met by—	
	Passed by House <sup>1</sup> (based on estimated costs)	Reported by Senate committee <sup>2</sup>	Excess	Deficiency	House bill	Senate committee version		Passed by House <sup>1</sup> (based on estimated costs)	Reported by Senate committee <sup>2</sup>	Excess	Deficiency	House bill	Senate committee version
Alabama.....	390.1	502.8	112.7	-----	100	129	New Hampshire.....	72.1	154.7	82.6	-----	100	220
Arizona.....	223.4	283.6	60.2	-----	100	127	New Jersey.....	1,449.9	542.1	-----	907.8	100	38
Arkansas.....	216.3	359.6	143.3	-----	100	166	New Mexico.....	250.7	300.5	49.8	-----	100	120
California.....	2,477.9	1,411.4	-----	1,066.5	100	57	New York.....	1,427.3	1,754.6	327.3	-----	100	123
Colorado.....	166.1	338.3	172.2	-----	100	202	North Carolina.....	263.1	631.0	367.9	-----	100	240
Connecticut.....	593.4	238.3	-----	355.1	100	40	North Dakota.....	114.1	274.4	160.3	-----	100	241
Delaware.....	69.9	154.7	84.8	-----	100	220	Ohio.....	1,452.1	1,059.8	-----	392.3	100	73
Florida.....	528.9	420.8	-----	108.1	100	80	Oklahoma.....	402.0	442.8	40.8	-----	100	110
Georgia.....	747.2	576.8	-----	170.4	100	77	Oregon.....	339.8	336.0	-----	3.8	100	99
Idaho.....	114.1	250.5	136.4	-----	100	220	Pennsylvania.....	811.5	1,326.8	515.3	-----	100	164
Illinois.....	1,137.2	1,166.9	29.7	-----	100	103	Rhode Island.....	131.7	154.7	23.0	-----	100	118
Indiana.....	926.2	602.1	-----	324.1	100	65	South Carolina.....	196.3	332.8	136.5	-----	100	171
Iowa.....	295.5	505.6	210.1	-----	100	173	South Dakota.....	101.7	286.6	184.9	-----	100	283
Kansas.....	221.0	449.2	228.2	-----	100	204	Tennessee.....	404.9	629.2	124.3	-----	100	131
Kentucky.....	526.1	464.2	-----	61.9	100	89	Texas.....	930.8	1,422.4	491.6	-----	100	153
Louisiana.....	526.1	408.5	-----	117.6	100	78	Utah.....	252.8	241.2	-----	11.6	100	95
Maine.....	156.7	199.0	42.3	-----	100	127	Vermont.....	188.6	154.7	-----	33.9	100	82
Maryland.....	464.1	296.9	-----	167.2	100	64	Virginia.....	608.2	501.0	-----	107.2	100	83
Massachusetts.....	893.7	528.4	-----	365.3	100	59	Washington.....	499.0	397.5	-----	101.5	100	80
Michigan.....	1,382.5	889.8	-----	492.7	100	65	West Virginia.....	275.5	294.8	-----	19.3	100	107
Minnesota.....	516.5	557.6	41.1	-----	100	108	Wisconsin.....	345.2	563.7	218.5	-----	100	164
Mississippi.....	263.1	372.5	129.4	-----	100	150	Wyoming.....	315.5	257.2	-----	58.3	100	82
Missouri.....	637.8	670.4	32.6	-----	100	105	District of Columbia.....	161.4	154.7	-----	6.7	100	96
Montana.....	163.8	355.5	191.7	-----	100	218							
Nebraska.....	114.1	355.0	240.9	-----	100	315							
Nevada.....	79.1	258.4	179.3	-----	100	333							
							Total.....	24,825.0	24,750.0	4,777.0	4,852.0	100	100

<sup>1</sup> Apportioned according to needs based on H. Doc. No. 120, 84th Cong.; apportionments subsequent to fiscal 1957 and 1958 subject to revisions based on periodic reestimate of needs.

<sup>2</sup> Apportioned 1/2 according to population and 1/2 according to formula for primary funds.

<sup>3</sup> For the purposes of this table the total deficiency of \$75 million of the proposed substitute has been ignored.

Mr. BUSH. Mr. President, last year the argument was made that the estimate of costs might be inaccurate and, therefore, should not be used as a basis for the apportionment of Federal funds. That argument no longer has any merit whatsoever in view of the provisions contained in paragraph (f) of section 108 of H. R. 10660. These provisions call for periodic studies to be made of the estimated costs of completion of the Interstate System, and for reports showing the results of those studies to be furnished the Congress in 1958, 1962, 1966, 1967, and 1968. These studies must be made in accordance with rules and regulations adopted by the Secretary of Commerce and applied by him uniformly to all of the States. These provisions clearly will require correction of any inaccuracies in the present estimates. Accordingly, the argument over inaccuracies no longer has any merit.

What other possible reason can be advanced to justify the apportionment to a number of the States of insufficient funds to complete the National Interstate System? Can we say that merely because in past years a certain formula has been used that we should blindly follow that formula for the rest of time? Of course not. That formula was useful in distributing Federal dollars for aid in the construction of highways. It was not intended to provide for the completion of a national system of designated and limited mileage. The old concept of merely providing aid is no longer appli-

cable to the National Interstate System. The American people desire that system to be completed within a given period of time, and the only possible way to accomplish this purpose is to provide the funds in each State necessary to cover the costs of construction.

But that is not the whole story. A further reference to the table indicates that 30 States would be allotted more funds than necessary to complete the Interstate System. What will become of these excess funds, totaling \$4,777 million? At least \$3,452,200,000 of these excess funds will be frozen in the trust fund in the United States Treasury. This huge sum will not be used for building roads. It will not be used for building anything. It will stay in the Treasury of the United States invested in Government bonds. How can the United States Senate agree to raising taxes for the purpose of building roads, and then let such a substantial sum as this lie useless in the Treasury? American taxpayers would properly resent such fiscal irresponsibility.

Not only would the American taxpayer be deceived by this apportionment formula in the committee substitute, but the Senators themselves would be misled. The majority report carries a table showing the apportionments for the Interstate System which shows a certain amount of dollars opposite the name of each State. Senators from those States, which you think would receive an excess of dollars over the estimated cost of the Interstate System, beware. Take care.

All that glitters is not gold, nor are all of the dollars apparently apportioned to your State going to benefit the State. As indicated above, a total of \$3,452,200,000 will never be used by any State.

However, it is true that some States may receive a windfall at the expense of other States. It will not be all of the excess dollars apportioned, but some of them. The windfall to these States could total \$1,324,800,000, but it is unlikely to reach this maximum. Funds not used as a windfall will be added to the frozen funds.

It is not likely to reach that maximum, because the funds must be used on a 50-50 matching basis, and it is not likely that a large proportion of the money will be used on such a matching basis.

To the extent it is a windfall, it could result from a transfer of funds from the Interstate System to the primary or secondary systems under section 103 of the substitute, which permits 20 percent of the amounts apportioned to be so transferred. There is no reason in justice or fairness why one State should get a windfall at the expense of another. This only occurs because interstate funds are being apportioned on a completely unrealistic formula which creates a surplus in some States and a deficit in others.

What is the reason given for using such an unrealistic formula? The only apparent reason is the belief of the majority that the estimates of the cost of construction of the National Interstate

System made by the various State highway departments are inaccurate. In spite of this alleged inaccuracy, the majority use the total of these estimates as the basis of the amount which they authorize for the National Interstate System. Accordingly, while they question the accuracy of the estimates, they use approximately the same total used in H. R. 10660. I brought that out in the debate this afternoon. But after using the total estimate as a basis for their authorizations, they abandon the estimate entirely and use formulas designed for another purpose.

Contrast this apportionment with the carefully drawn provisions of H. R. 10660 which limit the State's participation in Federal funds to the amounts needed to complete the construction of the system.

When a State estimates that it needs no further funds to complete the system, it will receive no further apportionment of Federal funds for the system. The taxpayers' money is not frozen, nor used for windfalls, since the funds purported to be used for the completion of the National Interstate System are in fact used for that purpose and no other.

The American people have indicated their willingness to pay additional taxes, but it is crystal clear that they would be very unwilling to pay taxes to be distributed under an apportionment formula which freezes a substantial amount in the United States Treasury, which gives an inequitable windfall to some States, and insufficient funds to others with the net total result that the National Interstate System will not be completed with the increased taxes provided.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. GORE. Would the Senator from Connecticut be willing to explain a little further the windfall possibilities to which he refers?

Mr. BUSH. The Senator from Tennessee was not in the Chamber when I did that. I have already explained it for the RECORD, but I shall be glad to review it if the Senator wishes me to do so.

I simply pointed out that under the 20-percent transferability clause as much as \$1,300,000,000 could be transferred on a 50-50 matching basis if, indeed, the States were willing and able to match at the rate of 50 percent. That is the extent of the potential windfall.

Mr. GORE. I believe the Senator from Connecticut heard the suggestion of the junior Senator from South Dakota that the basis on which the 20-percent transferability was placed in the bill had now been changed, and that it might be desirable to reduce the 20 percent or possibly to eliminate it. Would that improve the Senate bill, in the opinion of the Senator from Connecticut?

Mr. BUSH. Anything which would decrease the likelihood of transferring those funds by any amount would improve it. But, frankly, I very much question the propriety of any transfer of funds designed for the national system of interstate highways. The Federal Government is putting up 90 percent of those funds only for the purpose of getting the national system built. So I ques-

tion the fundamental principle of any transfer from that particular fund.

I would not have objected to a 20-percent transfer under the provision for \$175 million, which was contained in the 1954 bill, but when we come to the phase of the bill in which the whole purpose is to build an Interstate System and complete it, I see no reason why any part of that money should be transferred at all. A State ought to be able to get enough money to build the interstate mileage, and that is all—no more, no less.

Mr. GORE. I am certain the Senator from Connecticut realizes that the interchangeability had its genesis, not in the Senate Committee on Public Works, but rather with highway officials.

Mr. BUSH. May I ask the Senator where and when it had its genesis? I myself do not recall that.

Mr. GORE. Perhaps the junior Senator from South Dakota could answer that better than I can.

Mr. CASE of South Dakota. The American Association of State Highway Officials in its annual conventions over a period of 3 or 4 years has proposed the transfer. They originally suggested a transfer clause allowing a 25-percent transfer.

Mr. BUSH. May I ask the Senator from South Dakota if that did not apply to the earlier figures we were talking about for interstate highways, as well as to the most recent figures up until now, namely, \$175 million?

Mr. CASE of South Dakota. We had \$175 million only in the current year. That much was never available for the Interstate Highway System.

Mr. BUSH. That amount was contained in the 1954 act.

Mr. CASE of South Dakota. It was contained in the 1954 act; but the first year in which it was to apply was fiscal 1957.

Mr. BUSH. Yes; but my point about the origin of the 20-percent transferability is that it goes back a long time.

Mr. CASE of South Dakota. I beg the Senator's pardon; it was to have been applied to fiscal 1956 and 1957.

Mr. BUSH. Yes. My point is that the transferability provision antedates the time of the Clay Committee report or the modern conception on the National System of Interstate Highways bill. It had crept into the bill and into the interstate road proposal. Frankly, I do not think it belongs there. I am saying this in answer to the question asked by the Senator from Tennessee.

Mr. CASE of South Dakota. Frankly, I do not think it would mean too much if it were applied to the interstate system. We now have the interstate system on a matching basis of 90 percent Federal and 10 percent State, so I doubt very much that any State will transfer \$1 of road money, of which it puts up only 10 cents, into a fund where it would have to put up 50 cents on the dollar. There is in the bill a limitation of 50 percent. So a State could not transfer from the interstate money to the primary or secondary fund and get money on a 90-to-10 ratio.

Mr. BUSH. I think the Senator is correct.

Mr. CASE of South Dakota. I think the provision might just as well go out,

and I do not think the bill would be hurt at all if section 102 were stricken. I would preserve the transferability in section 101, so that the needs of a State could be tailored as between a primary system, a secondary system, and an urban system. I would retain that provision together with the provision in the law that the transfer could be made only upon the initiative and authority of a State highway department.

Mr. BUSH. If the Senator would offer an amendment to strike out that section, I would be glad to support it. If that section were eliminated, and if the program ran its course as estimated, there would be in the highway fund as authorized in the bill in excess of \$4,500,000,000 in allotments which simply could not be used; they would remain in the fund.

Mr. CASE of South Dakota. If it were assumed that there would be no adjustment or reapportionment after several years of experience.

Mr. BUSH. So long as the bill does not provide for any such contingency, I do not know how we can assume that the contrary would be the case.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. CARLSON. If I did not misunderstand the Senator from Connecticut, he stated there might be a possibility that as much as \$3,500,000,000 would be in the trust fund, to be used for interstate purposes, but which could not be used by some States.

Mr. BUSH. That is true. It might be as much as \$4,500,000,000. If the Senator from South Dakota is correct in his estimate about the 20-percent transferability the amount would be about \$4,800,000,000.

Mr. CARLSON. Let us consider a State which has already built a road according to modern specifications for the Interstate System. The road is on the Interstate System which will be taken over by the Federal Government as a part of the Interstate System. The highway department within the State has already built the road by tolls.

Is it fair to let a State build its own roads and tax the people to drive on them, and then require them to be taxed for the benefit of the people of all the other States of the Union? Is it fair to say to that State that that is all it is going to get, even though there is in the fund, unexpended, \$3,500,000,000 or \$4 billion? Is it proposed to let that one State build its own roads and tax its people who drive on them, in order to pay for them, in addition to taxing them to build roads for the people throughout the Nation?

Mr. BUSH. I shall come to that point in my remarks. But I think the Senator from Kansas is absolutely correct. The House bill contains a provision to take care of such farsighted States as have gone ahead and tried to solve their own problems. If the States have mileage which is suitable to meet the requirements of the Interstate System and can be taken into that system, then under the House bill such States will get credit for those funds, and they should get credit for them.

Mr. CASE of South Dakota. Will a State be able to use that money on some other roads? I think if we could reach an agreement that States which have, out of their regular primary money, built roads to the interstate standard, and have done it on a 50-50 basis, should get credit for it, we would get somewhere.

One of the reasons, as the Senator has suggested, why, for instance, my State of South Dakota would get more money than it would use is that we have already gone ahead and built road mileage which will be used in the Interstate System, and we did it on a 50-50 matching basis. We built that road mileage because it is the most important highway in the State. Our State highway commission did not try to pad its request for the Interstate System either in miles or in cost.

Mr. BUSH. In answer to the question, I simply quote section 109 of the House bill, entitled "Declaration of Policy With Respect to Reimbursement for Certain Highways." The question which the Senator has raised is dealt with in the House bill, but it is not in the Senate committee bill.

Mr. CASE of South Dakota. Does that deal with both the free roads and the toll roads?

Mr. BUSH. Yes.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. CARLSON. I think it is a most important provision, and that consideration should be given to it. I do not see why a State, which has already built highways, and is paying for them by the issuance of bonds, and so forth, should not be entitled to credit for what it has paid.

Mr. BUSH. I am wholeheartedly in agreement with the Senator from Kansas. I have an amendment at the desk, upon which the junior Senator from New York [Mr. LEHMAN] has joined me as a sponsor, which I intend to call up tomorrow, which will satisfy the Senator, I am sure.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. LEHMAN. I also have an amendment at the desk, to which I shall refer later in my remarks this afternoon, which covers the whole field.

Mr. BUSH. Mr. President, in conclusion on this point, I wish to emphasize that this is a national system designed to benefit the economy of the Nation as a whole, as well as the defense of the Nation as a whole. It is not designed for the benefit of one State or another, but for the United States of America. What other justification could there be for using 90 percent Federal funds? The people of this country want a National Interstate Highway System. The State highway officials and other road experts want it. An overwhelming majority of the House of Representatives want it. Why then should the Senate stop it? The reasons for stopping it, if any there are, should be sound, logical, and based on clear, indisputable, well-recorded facts—not on impressions, beliefs, isolated instances, and matters not testified to before the committee.

The substitute contains no provision whatsoever with respect to States which

have constructed toll or free highways eligible for inclusion in the National Interstate System. The Clay committee recommended reimbursement in these States according to certain formulas contained in section 207 of S. 1160. Objections were raised to these provisions for reimbursement. The principal objection was the uncertainty involved because it is unknown to date as to the mileage of these roads that will be included on the Interstate System and eligible for reimbursement.

In order to meet this objection, but at the same time show clearly an intention on the part of Congress to be equitable in this matter, the House committee inserted section 109 in H. R. 10660. This section contains a declaration of policy with respect to reimbursement of certain highways in the following words:

It is hereby declared to be the intent and policy of the Congress to equitably reimburse those States for any portion of a highway which is on the Interstate System, whether toll or free, the construction of which has been completed subsequent to August 2, 1947, or which is either in actual use or under construction by contract, for completion, awarded not later than June 30, 1957, and such highway meets the standards required by this title for the Interstate System.

This section then requires the Secretary of Commerce to make a study in cooperation with the State highway departments to determine which highways measure up to the standards required for the Interstate System, and to give all relevant facts concerning the reimbursable costs of such highways. The approach to this problem contained in section 109 is a fair and reasonable one. It contains a declaration of policy to indicate that there is equity in reimbursing those States which have already constructed eligible toll and free roads. At the same time, it does not go into the matter blindly, but calls for a report of all of the factors involved. Two years from now Congress with the facts before it can enact fair and wise legislation to take care of this problem.

The original Federal highway legislation of 1916 contained a provision that all roads constructed under the provisions of that act should be free from tolls of all kinds. Certain toll roads have been constructed without the aid of Federal funds and are located on routes of the Interstate System. It would be unsound economically to construct roads paralleling these roads. Yet, if these roads were not part of the system, we would not have a fully integrated system.

Mr. President, I have sent to the desk an amendment dealing with section 109 and section 116 of the Fallon bill, and I ask unanimous consent that the amendment be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment intended to be proposed by Mr. BUSH was ordered to be printed in the RECORD, as follows:

On page 49, between lines 24 and 25, insert the following new sections:

"Sec. 117. It is hereby declared to be the intent and policy of the Congress to equitably reimburse the States for any portion of a

highway which is on the National System of Interstate Highways, whether toll or free, the construction of which has been completed subsequent to August 2, 1947, or which is either in actual use or under construction by contract, for completion, awarded not later than June 30, 1957, and such highway meets the standards required by this title for the National System of Interstate Highways. The time, method, and amounts of such reimbursement shall be determined by the Congress following a study which the Secretary of Commerce is hereby authorized and directed to conduct, in cooperation with the State highway departments, and other agencies as may be required, to determine which highways in the National System of Interstate Highways measure up to the standards required by this title, including all related factors of cost, depreciation, participation of Federal funds, and any other items relevant thereto. A complete report of the results of such study shall be submitted to the Congress within 10 days subsequent to January 2, 1958. It is also declared to be the policy and intent of the Congress to provide funds necessary to make such reimbursements to the States as may be determined.

"Sec. 118. (a) The Secretary of Commerce is authorized to approve as part of the National System of Interstate Highways any toll road, bridge, or tunnel, now or hereafter constructed which meets the standards adopted for the improvement of projects located on such system, whenever such toll road, bridge, or tunnel forms a logical segment of such system: *Provided*, That no Federal-aid highway funds shall be expended for the construction, reconstruction, or improvement of any such toll road except to the extent hereafter permitted by law: *Provided further*, That no Federal-aid highway funds shall be expended for the construction, reconstruction, or improvement of any such toll bridge or tunnel except to the extent now or hereafter permitted by law.

"(b) The funds authorized under this title, or under prior acts, shall be available for expenditure on projects approaching any toll road, bridge, or tunnel to a point where such project will have some use irrespective of its use for such toll road, bridge, or tunnel.

"(c) The funds authorized under this title, or under prior acts, shall be available for expenditure on projects approaching any toll road on the National System of Interstate Highways, even though the project has no use other than as an approach to such toll road: *Provided*, That agreement has been reached with the State prior to approval of any such project (1) that the section of toll road will become free to the public upon retirement of any bonds outstanding at the time of the agreement, (2) that all toll collections are used for maintenance and operation and debt service of the section of road incorporated into the National System of Interstate Highways, and (3) that there is one or more reasonably satisfactory alternate free routes available to traffic by which the toll section of the system may be bypassed.

"(d) Nothing in this title shall be deemed to repeal the act approved March 3, 1927 (44 Stat. 1398), or subsection (g) of section 204 of the National Industrial Recovery Act (48 Stat. 200), and such acts are hereby amended to include tunnels as well as bridges."

Remember the following sections in title I accordingly.

Mr. BUSH. Mr. President, in order to take account of this situation, the House committee inserted section 116 in H. R. 10660. This section permits the Secretary of Commerce to approve as part of the Interstate System any toll road, bridge, or tunnel which meets the Standards of the Interstate System whenever such toll road, bridge, or tunnel forms a logical segment of that system. Such inclusion would be for purposes of integration only. This same

section also makes provision for approaches to these toll facilities and permits the expenditure of Federal funds on such approaches subject to the conditions therein stated. This entire section 116 is one which clarified the intent of Congress and is considered essential for a proper administration of the act. It should be included in the substitute.

Mr. President, I also have at the desk an amendment which is a compromise amendment on the question of the distribution of funds. I hope that Senators will have an opportunity to study it before the Senate commences voting tomorrow. I would certainly prefer the House formula, but in the interest of getting a bill to conference and of getting something of a constructive nature through the Senate, I shall propose this compromise.

I ask unanimous consent that the proposed amendment and the table which accompanies it be printed in the RECORD at this point in my remarks.

There being no objection, the amendment intended to be proposed by Mr. BUSH and the table were ordered to be printed in the RECORD, as follows:

On page 35, beginning with line 11, strike out all through line 20 on page 36, and insert in lieu thereof the following:

"(b) It is hereby declared to be the policy and intent of the Congress that the funds authorized in subsection (a) of this section shall be distributed among the several States in such manner that each State will receive the amount required to pay the Federal share of the approved actual cost of completing the system in each State at an orderly and uniform rate of progress and with geometric standards uniformly applied in the several States.

"(c) The additional sum herein authorized for the fiscal year ending June 30, 1957, and the sum authorized for the fiscal year ending June 30, 1958, shall be apportioned immediately upon enactment of this act. The sums herein authorized for the fiscal years 1957 and 1958 shall be apportioned among the several States in the following manner: One-half in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census; *Provided*, That no State shall receive less than three-fourths of 1 percent of the money so apportioned; and one-half in the manner now provided by law for the apportionment of funds for the Federal-aid primary system; *Provided further*, That no State shall receive out of the apportionments for the fiscal years 1957 and 1958 combined more than 15 percent nor less than 10 percent of its estimate of total needs for the National System of Interstate Highways as shown in table I on pages 6 and 7 of House Document No. 120, 84th Congress.

"(d) All sums authorized by this section to be appropriated for the fiscal years 1959 through 1969, inclusive, shall be apportioned among the several States in the ratio which the estimated cost of completing the National System of Interstate Highways in each State bears to the estimated total cost of completing the National System of Interstate Highways in all of the States. The estimated costs shall be those set forth in the reports required to be filed by subsection (f) of this section and shall be those contained in the latest report so filed. Each apportionment herein authorized for the fiscal years 1959 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized, as practicable, but in no case more than 18 months prior to the fiscal year for which authorized.

"(e) The geometric standards to be adopted for the National System of Interstate Highways shall be those approved by the Secretary of Commerce in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the National System of Interstate Highways shall be adequate to permit construction of projects on the National System of Interstate Highways up to such standards. The Secretary of Commerce shall apply such standards uniformly throughout the States. Such standards shall be adopted by the Secretary of Commerce in cooperation with the State highway departments as soon as practicable after the enactment of this act.

"(f) As soon as the standards provided for in subsection (e) have been adopted, the Secretary of Commerce shall request each State highway department to make and furnish to him before July 1, 1957, a further study of the National System of Interstate Highways within its boundaries and a detailed estimate of the cost of completing the same based upon such standards. Such study and estimate shall be made in accordance with such rules and regulations as may be adopted by the Secretary of Commerce and applied by him uniformly to all of the States. Upon approval of such estimate by the Secretary of Commerce, he shall, within 10 days subsequent to January 2, 1958, transmit to the Senate and the House of Representatives a report of such study and estimate. The Secretary of Commerce shall use such estimate in making apportionments for the fiscal years ending June 30, 1959, June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary of Commerce shall cause a revised estimate to be made in the same manner as stated above and shall transmit the same to the Senate and the House of Representatives within 10 days subsequent to January 2, 1962, and shall use such revised estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary of Commerce shall cause a revised estimate to be made in the same manner as stated above and shall transmit the same to the Senate and the House of Representatives within 10 days subsequent to January 2, 1966, and annually thereafter through and including January 2, 1968, and shall use such revised estimate in making apportionments for the fiscal year which begins next following the fiscal year in which such report is filed. Whenever the Secretary of Commerce, pursuant to this subsection, requests the State highway departments to furnish studies and estimates to him, such highway departments shall furnish copies of such studies and estimates at the same time to the Senate and the House of Representatives.

"(g) The Federal share payable on account of any project on the National System of Interstate Highways provided for by funds made available under the provisions of this section shall be increased to 90 percent of the total cost thereof, plus a percentage of the remaining 10 percent of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area; *Provided*, That such Federal share payable on any project in any State shall not exceed 95 percent of the total cost of such project.

"(h) Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for 2 years after the close of the fiscal year for which such sums are authorized; *Provided*, That such funds for any fiscal year shall be deemed to be expended if a sum equal to the total of the sums apportioned to the State specifically for the National

System of Interstate Highways for such fiscal year and previous fiscal years is covered by formal agreements with the Secretary of Commerce for the construction, reconstruction, or improvement of specific projects under this section.

"(i) Any amount apportioned to the States under the provisions of this section unexpended at the end of the period during which it is available for expenditure under the terms of subsection (h) of this section shall lapse; *Provided*, That any National System of Interstate Highways funds released by the payment of the final voucher or by the modification of the formal project agreement shall be credited to the National System of Interstate Highways funds previously apportioned to the State and be immediately available for expenditure."

On page 36, line 21, strike out "(d)" and insert in lieu thereof "(j)."

On page 37, line 22, strike out "(e)" and insert in lieu thereof "(k)."

*Combined 1957 and 1958 interstate apportionments under Fallon bill formula, Senate committee substitute, and a suggested compromise*

[Millions of dollars]			
State	Fallon bill, H. R. 10660 <sup>1</sup>	Gore bill, committee substitute <sup>2</sup>	Suggested compromise <sup>3</sup>
Alabama.....	43.3	55.9	54.9
Arizona.....	24.8	31.5	31.5
Arkansas.....	24.0	39.9	30.4
California.....	274.5	156.8	232.1
Colorado.....	18.6	37.6	23.5
Connecticut.....	65.6	26.5	55.5
Delaware.....	7.8	17.2	9.9
Florida.....	58.7	46.7	49.6
Georgia.....	82.8	64.1	70.0
Idaho.....	12.7	27.8	16.0
Illinois.....	126.0	129.7	129.4
Indiana.....	102.5	66.9	86.7
Iowa.....	32.5	56.2	41.2
Kansas.....	24.5	49.9	31.0
Kentucky.....	58.2	51.6	51.5
Louisiana.....	58.3	45.4	49.3
Maine.....	17.4	22.1	22.1
Maryland.....	51.3	33.0	43.4
Massachusetts.....	99.1	58.7	83.8
Michigan.....	153.2	98.9	129.5
Minnesota.....	57.1	62.0	61.9
Mississippi.....	29.1	43.6	36.9
Missouri.....	70.8	74.5	74.3
Montana.....	18.1	39.5	22.9
Nebraska.....	12.5	39.4	15.9
Nevada.....	8.6	28.7	11.0
New Hampshire.....	7.8	17.2	9.9
New Jersey.....	160.5	60.2	135.7
New Mexico.....	27.8	33.4	33.3
New York.....	158.0	195.0	194.5
North Carolina.....	29.2	70.1	37.1
North Dakota.....	12.7	30.5	16.1
Ohio.....	161.0	117.7	136.1
Oklahoma.....	44.6	49.2	49.1
Oregon.....	37.7	37.3	37.2
Pennsylvania.....	89.9	147.4	114.0
Rhode Island.....	14.5	17.2	17.2
South Carolina.....	21.6	37.0	27.5
South Dakota.....	11.2	31.8	14.2
Tennessee.....	44.9	58.8	57.0
Texas.....	103.1	153.0	130.8
Utah.....	28.2	26.8	26.7
Vermont.....	21.1	17.2	17.8
Virginia.....	67.3	55.7	56.9
Washington.....	55.2	44.2	46.7
West Virginia.....	30.5	32.8	32.7
Wisconsin.....	38.2	62.6	48.5
Wyoming.....	35.0	28.6	29.6
Hawaii.....			
District of Columbia.....	18.0	17.2	17.2
Puerto Rico.....			
Total.....	2,750.0	2,750.0	2,750.0

<sup>1</sup> Apportionment based on estimated costs, subject to periodic revision, audit and review after fiscal 1958.

<sup>2</sup> Apportionment based on formula for entire 13-year period;  $\frac{1}{4}$  population;  $\frac{1}{4}$  primary aid formula;  $\frac{1}{4}$  population;  $\frac{1}{4}$  area;  $\frac{1}{4}$  mileage rural free delivery and star routes.

<sup>3</sup> Formula of Gore bill with proviso that no State shall receive less than 10 percent nor more than 15 percent of the cost it estimated for construction of Interstate System within its boundaries; after fiscal 1958, apportionment based on estimates revised periodically, audited and reviewed as in Fallon bill.

Mr. BUSH. Mr. President, that concludes my remarks on this subject.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Tennessee.

Mr. GORE. I wish to express my appreciation for the thoughtful and provocative statement which the Senator from Connecticut has just delivered. Though he has been vigorously opposed to some of the provisions in the Senate committee bill, the able Senator from Connecticut has expressed himself with tolerance, understanding, and almost sympathy for the views of his colleagues. I appreciate that. It is typical of the fine gentleman from Connecticut.

Mr. BUSH. I thank the Senator from Tennessee.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. BUSH. I thank the Senator from California.

Mr. KUCHEL. Mr. President, I should like the RECORD to show that there is no more able member of the Committee on Public Works of the United States Senate than the distinguished senior Senator from Connecticut. From the very first, Mr. President, I have served with him on that committee. I participated with him in the 83d Congress in an attempt to fashion a highway bill suitable to the needs of the American people. I saw him stand up for principle then. I see him stand up for principle now. I am very glad that my able friend, the Senator from Connecticut, has participated in a sincere attempt to draft the kind of highway legislation the people of the United States need. I congratulate him on his position and on his statement.

Mr. BUSH. Mr. President, I am very grateful to my very good friend, the Senator from California, for his most tolerant and generous remarks.

Mr. MARTIN of Pennsylvania. Mr. President—

Mr. BUSH. I yield to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. I also wish to commend most highly the distinguished Senator from Connecticut. Although I do not agree with everything he has presented, yet he has given an enormous amount of time to the bill, and I know the entire Senate is most appreciative of what he has done.

Mr. BUSH. Mr. President, I am very appreciative of the remarks of the distinguished Senator from Pennsylvania, whose approval I value highly.

Mr. CASE of South Dakota. Mr. President—

Mr. BUSH. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I should like to associate myself with the statements which have been made in regard to the intelligence and industry with which the able Senator from Connecticut has approached the problem of building roads. All of us have the highest respect for his sincerity and integrity and his readiness to work in the most tireless way in endeavoring to arrive at a solution of any problem.

Of course it is inevitable that Members of the Senate will have different points of view regarding the proper solution of various problems. However, when we credit each other with sin-

cerity in our efforts, we make it much more likely that we shall arrive at good results.

In this case I believe a good highway bill will be arrived at, very definitely as a result of the work done both on the floor and in the two committees which have dealt with the bill. In that connection, let me say that it is unquestionable that a considerable amount of the credit for that achievement will be due the able and distinguished Senator from Connecticut, as a result of the fine work he has done.

Mr. BUSH. Mr. President, I am very thankful to the distinguished Senator from South Dakota for his statement, particularly in view of his long service on the committee. I thank him very much.

Mr. BARRETT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Connecticut yield to the Senator from Wyoming?

Mr. BUSH. I yield.

Mr. BARRETT. I wish to join in thanking the distinguished Senator from Connecticut for his splendid presentation of the subject. I am sure he has the matter well in hand. He has given a very lucid and clear explanation of the pending bill as it affects not only his own State, but also many of the other States. So I wish to associate myself with the statement he has made today.

Mr. BUSH. I thank the Senator very much indeed, and I greatly appreciate his comments.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Connecticut yield again to me?

Mr. BUSH. I yield.

Mr. MARTIN of Pennsylvania. Mr. President, for over half a century I have been working at one or another of the three different levels of government. I should like to state that never before have I seen any two legislative committees give to a problem the serious attention which has been given to the one now before us by the Senate Committee on Public Works and the Senate Finance Committee.

I have discussed this matter with the Parliamentarian, who informs me that this is the only instance of which he knows when a bill which originated in the House of Representatives has dealt with two separate and distinct provisions relating to the jurisdiction of different committees.

Mr. President, while I am on my feet, I wish to commend the Senator from Tennessee [Mr. GORE] for the excellent work he has done. He has devoted an enormous amount of time to the problem, as have the distinguished Senator from South Dakota [Mr. CASE]; the distinguished Senator from Connecticut [Mr. BUSH]; the distinguished Senator from New Mexico [Mr. CHAVEZ], the chairman of the Committee on Public Works; and the distinguished Senator from Oklahoma [Mr. KERR]. These Senators have done outstanding work in the study of the problem by the two committees. We are very fortunate to have

the benefit of two committees of such outstanding character.

Mr. GORE. I thank the Senator.

Mr. BUSH. Mr. President, I thank the Senator from Pennsylvania and I desire to associate myself with the comments he has made about the Finance Committee and our own Committee on Public Works. I think we have worked together in a very conscientious way in the interest of the enactment this year of some very important highway legislation.

I hope my colleagues' very generous comments augur well for the adoption of some of the amendments which I expect to submit tomorrow.

Mr. CARLSON. Mr. President, I wish to take this opportunity to join the other Senators in complimenting the distinguished Senator from Connecticut [Mr. BUSH] for the fine work he has done on the highway bill. I also wish to commend the other members of the Senate Committee on Public Works and the members of the Senate Finance Committee.

At this session we have been fortunate in having the benefit of the excellent work done by the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Oklahoma [Mr. KERR], both of whom serve on both the Public Works Committee and the Committee on Finance. It has been my privilege to sit with the Finance Committee during its consideration of the section of the bill dealing with the financing of these roads. In this instance, that service has given me an opportunity to obtain an insight into some of the problems handled by the Committee on Public Works. Both the Senate and the country are, in my opinion, indebted to these Members, who have given so much of their time in studying these problems.

Mr. President, I am advised that the Senator from Oregon [Mr. NEUBERGER] feels that at this time he should be recognized. So I ask unanimous consent that I may yield to him whatever time he needs, provided that I may be recognized next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Senator from Oregon is recognized.

Mr. NEUBERGER. Mr. President, I thank the distinguished Senator from Kansas for his courtesy.

Before I proceed with my brief remarks and ask some questions of the chairman of the subcommittee which considered the highway bill, I should like to state that the reason for the previous misunderstanding was that, I had understood we could rely on the lists which were placed at the desk. I was informed by the Senate staff and attachés that I would be the next Senator to be recognized, following the Senator from Tennessee [Mr. GORE]. I relied upon that information; and inasmuch as I was told that my name was next on the list, I was glad to defer to the Senator from Connecticut.

I realize that such lists have no official standing whatsoever. Yet, Mr. President, if they are to be used, I believe Senators should be able to rely upon them. I had relied upon the list. So I

very much appreciate the courtesy of the Senator from Kansas in permitting me to speak at this time.

I shall be very brief, because I realize that other Senators wish to speak on the bill.

First, I wish to ask the distinguished chairman of the subcommittee some questions about objections which have been voiced in my State to the Senate Public Works Committee's version of the bill.

The Oregonian, which is published in Portland, Ore., is one of the largest newspapers, if not the largest, in the Pacific Northwest. I wish to read an editorial which appeared on May 24, 1956, in the Oregonian. The editorial expresses the general viewpoint that the House version of the highway bill would be better for the State of Oregon than the Senate Public Works Committee's version.

The editorial reads as follows:

[From the Oregonian of May 24, 1956]  
NEED AS ROAD YARDSTICK

So far as Oregon alone is concerned it would make little difference whether the billions Congress soon should be authorizing for the Interstate Highway System were distributed according to the formula set up in the Senate (Gore) bill or the one provided for in the House (Fallon) bill. Oregon would get almost the same amount of Federal money under either bill for expenditure on Highways 99 and 30.

But so far as the Nation as a whole and the West as a region are concerned there is a vast difference in the effectiveness of the two formulas. And, since the Interstate Highway System within Oregon is only a link in the nationwide network, it is to this State's advantage that the best one be adopted. An effort is being made by western Senators to have the Senate adopt the House plan in place of its own, and Oregon highway planners are behind them.

Briefly, the House measure treats the 40,000-mile Interstate System as a unit. To each State would be provided as much of the \$25 billion Federal fund as it needs to bring that part of the system within its borders up to a standard adequate for the traffic carried.

The Senate plan would distribute the interstate highway money in the same way that Federal aid funds have been distributed in the past and are now distributed. Half of the money would be parceled out to the States on the basis of population and the other half would be divided one-third each on population, area, and mileage.

This plan would result in some States receiving much more than they need and others much less. Senator WARREN G. MAGNUSON, of Washington, in calling a meeting of western Senators the other day, said the Senate version dangerously imperils western highway expansion. Washington would lose \$8 million a year over the 13-year life of the highway program under the Senate formula. California would lose \$82 million a year. But Nevada would gain \$13 million a year.

It would not actually be a gain for Nevada. For that State would not be able to match the Federal money and much of it would be wasted. Nevadans are in the unusual position of demanding less rather than more Federal assistance. They would rather have the extra money go to California so that State can modernize those California highways which tie in with the feed traffic to the parts of the Interstate System within Nevada.

Oregon State Highway Engineer R. H. Baldock puts the situation this way: Under the

Gore bill Nevada would get Federal money for  $3\frac{1}{4}$  times the interstate mileage it needs, whereas California would get only 57 percent of its needs. He strongly favors the House formula, under which need would be the yardstick. Need would be reviewed in 1958 and again in 1962 to bring the original estimates made in 1954 up to date.

The House bill as a whole is a reasonable compromise between administration and congressional proposals for modernizing the American highway system. The Senate would do well to adopt it in toto in place of its own inadequate measure.

Let me say to the chairman of the subcommittee that I think he knows that I have supported the Senate Committee version of the highway bill; and it is still my disposition to support the Senate version when the yeas and nays votes begin tomorrow. However, I would appreciate it very much if he would explain for me and for other Senators his answers to the points raised in the editorial which I have just read.

Mr. GORE. Mr. President, as I heard the editorial read I made three notes. The first was on the question of apportionment. Funds for the Interstate System are apportioned by a formula which apportions funds to States on a comparative basis, that basis being two-thirds on the basis of population, one-sixth on the basis of area—of which Oregon has a great deal—and one-sixth on the basis of star route and post road mileage within the State. Of course, Oregon has a great many post roads.

Second, the apportionment to the primary, secondary, and urban roads is on the basis of one-third for population, one-third for area, and one-third for star route and post road mileage within the State. I do not know to what the editorial refers when it states that any State is going to lose by the Senate committee version, as compared with the provisions of the House bill, because the House bill contains only a 2-year apportionment for interstate highways, and a 3-year apportionment for urban, secondary, and primary roads. On the other hand, the Senate committee version carries a 13-year apportionment for interstate roads, and a 5-year apportionment for the other 3 categories, namely, primary, secondary, and urban.

I made a third note, with respect to needs. The editorial refers to the needs of the various States to complete the Interstate System. I wonder if the able junior Senator from Oregon is aware of the statement of the Bureau of Public Roads with respect to the needs table.

Mr. NEUBERGER. I am well aware of the statement of the Bureau of Roads. I think I was present at the hearing before the subcommittee, so ably presided over by the Senator from Tennessee, when various officials of the Bureau of Public Roads testified about the manner in which the figures representing needs were arrived at in the House distribution formula.

Mr. GORE. The Senator knows, then, that the needs were not determined by the Bureau of Public Roads, but that the Bureau of Public Roads merely served as a compiling agent. The Bureau of Public Roads merely listed the estimates of needs submitted by the States.

One of the clerks of the Senate has now handed me the editorial. I wish to read one sentence:

To each State would be provided as much of the \$25 billion Federal fund as it needs to bring that part of the system within its borders up to a standard adequate for the traffic carried.

I suggest to the Senator that that presumes that whatever the needs are, the \$25 billion will be sufficient to meet them. As a matter of fact, my own State, to which I have already referred today, submitted an estimate which the editorial presumes to be a correct estimate, and which was included in the Clay report. This report provides the basis for the 2-year apportionment in the House bill. With the assistance of the Automotive Foundation and an extensive survey by the Corps of Engineers, the State of Tennessee has now completed a re-estimate, which is 77 percent greater than the original estimate.

The point I wish to make is that if other States are submitting similar estimates, the \$25 billion pie cannot cut into so many large slices. So what we must do, it seems to me, is to begin with a policy of bringing all our Federal aid highways to a condition of adequacy. We must begin with a sound foundation for apportioning funds to the States in order that the States may depend on such apportionments and then proceed with a program, which will be reviewed from time to time, for bringing not only the Interstate System, but also urban, primary, and secondary highways, to a condition of adequacy.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield, so that I may ask a question of the Senator from Tennessee, to develop these facts a little further?

Mr. NEUBERGER. I shall be happy to yield. However, first, I wish to make a brief comment before I yield to the Senator from California, so that he may ask a question of the Senator from Tennessee.

I wish to say to the Senator from Tennessee, with whom I served on the subcommittee, that I share his opposition to any system of self-assessment, by which a State merely announces arbitrarily what it presumably needs, in the total absence of any fixed standards. I feel that we need fixed standards. What I hope the Senator from Tennessee will develop a little further, perhaps after he replies to the Senator from California, is the further point made in the editorial—and I do not have the editorial before me—that the State of Nevada will, so it is claimed, get far more money than it actually needs under the Senate version of the bill. I hope the Senator will discuss that point briefly.

Mr. GORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LAIRD in the chair). Does the Senator from Oregon yield to the Senator from Tennessee?

Mr. NEUBERGER. I yield.

Mr. GORE. I have not seen the result of the restudy and the new estimates with respect to the State of Nevada. Therefore, I do not know how the funds apportioned under the bill would apply

to the newer estimates. Be that as it may, the Senate bill provides that the apportionment unused by a State 2 years after the apportionment will lapse into the Treasury. I stress the word "apportionment." The funds will never go to the State unless they are actually programed and unless they are actually used.

Therefore I do not understand how any other States would be seriously penalized if the funds which go to Nevada should, perchance, be somewhat in excess of the cost of completing the system, so long as we have in the bill the provision that they cannot be actually expended in Nevada unless they are needed within Nevada. These funds can be reapportioned to other States.

Mr. NEUBERGER. I thank the Senator. I now yield to the Senator from California for the purpose of having him ask a question of the Senator from Tennessee.

Mr. KUCHEL. I thank the Senator. I have two questions. I am delighted to see the able Senator from Nevada [Mr. BIBLE] on the floor, because I believe we are getting down to some of the specific questions which must divide the Senate when we vote tomorrow.

First of all, I should like to ask the able Senator from Tennessee whether it is not true that in the House-approved bill provision is made for five reexaminations of the basis of need during the 13-year period of contemplated construction.

Mr. GORE. I am not sure that the provision provides exactly that, but there are provisions in the bill which provide for review. I repeat, however, that in the case of interstate roads the apportionment is only a 2-year basis, and on a 3-year basis for primary, urban, and secondary roads.

Mr. KUCHEL. I believe that that answer is not scrupulously accurate, as I read the House bill. Does the Senator mean that the House bill provides for a 2-year apportionment on the Interstate System subject (a) to a reexamination of estimates by the Bureau of Public Roads and (b) approval by two committees of Congress? Is that what the Senator means?

Mr. GORE. I will explain exactly what I mean. I will read the actual provision of the House bill.

Mr. KUCHEL. I believe it is at page 13.

Mr. GORE. On page 13, line 12, the Senator will find subsection (c). The bill reads: "Apportionments for 1957 and 1958." That section of the bill runs down through line 23 on page 13. As I read it, that is the only definite apportionment that is made.

Mr. KUCHEL. No; that is where the Senator is in error. If the Senator will read the next section, which begins at the bottom of the page, he will find this language:

All sums authorized by this section to be appropriated—

And so forth.

Mr. GORE. That is correct. The subsection is headed: "Apportionments for Subsequent Years."

Mr. KUCHEL. That is correct.

Mr. GORE. If the Senator from Oregon will yield further, it might be well to read that whole section into the RECORD.

Mr. NEUBERGER. I yield for that purpose.

Mr. GORE. It reads:

(d) Apportionments for subsequent years: All sums authorized by this section to be appropriated for the fiscal years 1950 through 1969, inclusive, shall be apportioned among the several States in the ratio which the estimated cost of completing the Interstate System in each State bears to the estimated total cost of completing the Interstate System in all of the States. The estimated costs shall be those set forth in the reports required to be filed by subsection (f) of this section and shall be those contained in the latest report so filed. Each apportionment herein authorized for the fiscal years 1959 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized, as practicable, but in no case more than 18 months prior to the fiscal year for which authorized.

That is the end of subsection (d).

I now call the Senator's attention to the sentence beginning at line 5:

The estimated costs shall be those set forth in the reports required to be filed by subsection (f).

Mr. KUCHEL. That is right.

Mr. GORE. Coming now to subsection (f), we read, at line 11 of page 15:

Upon approval of such estimate by the Secretary of Commerce, he shall, within 10 days subsequent to January 2, 1958, transmit to the Senate and the House of Representatives a report of such study and estimate. Upon approval by affirmative resolution of the committees of the Senate and the House of Representatives to which referred, the Secretary of Commerce shall use such estimate in making apportionments for the fiscal years ending June 30, 1959, June 30, 1960, June 30, 1961, and June 30, 1962.

I call the Senator's attention to the fact that the apportionment beyond fiscal 1957 and 1958 cannot be made, and that the Secretary of Commerce cannot use estimates for making the apportionment, as I read the bill, until such estimates have been approved by affirmative resolution of both the Senate and House Committees on Public Works.

Mr. KUCHEL. I completely agree with the Senator. In other words, that subsection lays down the means by which a realistic examination of the needs shall be undertaken by the Secretary of Commerce, and shall go into effect subject to the approval of the appropriate two committees of Congress.

Mr. GORE. Mr. President, will the Senator from Oregon yield further?

Mr. NEUBERGER. I yield.

Mr. GORE. I suggest to the Senator from California that, instead of being realistic, it appears to me to be entirely unrealistic. I can foresee the possibility that the Public Works Committee of one House of Congress might approve, whereas the committee of the other body might not approve. The bill does not provide that Congress shall legislate on the proposition. It provides for approval by affirmative resolution of the Committees on Public Works of the Senate and the House. The House Committee on Public Works might, as it has

with respect to the legislation before the Senate today, have one point of view, while the Public Works Committee of the Senate might have a different point of view. Therefore, a stalemate would develop, and no apportionment could be made.

I come back to the original statement I made, that under the House bill no definite apportionment is made except for 1957 and 1958.

Mr. KUCHEL. The Senator is obviously entitled to his opinion as to whether the provision of the House bill is workable. But I renew my question. Is it true that the bill as passed by the House of Representatives lays down its conception of the basis of need for apportionment for 2 years and, thereafter, a basis upon which further estimates of need will be found, subject to the approval of the two committees of the Congress? Is not that a factual statement?

Mr. GORE. It depends upon the definition we give to the word "need." If we accept the definition which the Bureau of Public Roads gave to it, the first part of the Senator's statement would be correct, and the latter part would be subject to doubt.

Mr. KUCHEL. The Senator can answer the question or not, as he sees fit; but is it not true that the language of the bill provides a basis upon which apportionments shall be carried out for the entire 13 years?

Mr. GORE. I do not think that is a definite basis at all.

Mr. NEUBERGER. Let me ask the Senator from Tennessee a question along the line of the questions asked of him by the Senator from California.

Is it not true that under section (f) of the House bill there still is no fixed standard by which the money will be distributed? Is not that perhaps a vital weakness, that we are still dealing with estimates?

Mr. KUCHEL. Is the Senator from Oregon asking the Senator from California that question?

Mr. NEUBERGER. I am asking the Senator from Tennessee. I should be glad to have the Senator from California comment on it. But are we not still dealing with estimates rather than with any fixed standard?

Mr. GORE. In the first instance, we are dealing with estimates which have already been demonstrated to be unrealistic, already acknowledged to lack uniformity, already described by the Bureau of Public Roads as being without standardization.

In the second place, the House bill deals with estimates about which we are yet uninformed, but the provision contains a requirement that they be approved by affirmative resolutions by both the House and the Senate Committees on Public Works before they can be used as a basis of apportionment. It seems to me that is a long way from a definite method of approaching the problem.

Mr. KUCHEL. Mr. President, if I may make a comment on the same question—and we are getting down to the crux of the whole matter—my answer to the Senator from Oregon is that when we

attempt to apply the usual Federal apportionment rule to a job which is going to be completed in 13 years, there is no justifiable basis on which apportionments can be made.

To the contrary, the Senator from Oregon does not know, the Senator from California does not know, the Senator from Tennessee does not know, to the penny, how much money will be taken out of the Treasury of the United States to construct a 40,000-mile highway system. It has got to be done on estimates. It has got to be done in a manner which will give the Bureau of Public Roads in each instance the right to determine whether a State expends Federal money properly so that it can be properly reimbursed from the Federal Treasury.

It seems to me that our brethren in the House of Representatives have done an admirable job in saying that in the first 2 years the needs should be determined on the basis of a State's estimate. At the end of the 2 years the Bureau must make a new estimate of what the needs are in each State. Subject to the approval of the two committees mentioned, the apportionment shall then be carried on for 4 years, at which time a third, then a fourth, and then a fifth reexamination by the Bureau is provided.

Mr. NEUBERGER. Let me ask the Senator from California a question. He represents, in part, one of the most populous States of the Union and one of the largest in area. Are we not totally dealing with estimates? To the Senator's knowledge, have Federal funds ever before been distributed in this fashion?

Mr. KUCHEL. On the basis of need?

Mr. NEUBERGER. On the basis of self-assessment by the States.

Mr. KUCHEL. I deny that this is a self-assessment. This is in no sense a self-assessment.

Mr. NEUBERGER. The Senator will admit that for the first 2 years it is a self-assessment?

Mr. KUCHEL. I deny that. Congress required the Bureau of Public Roads to obtain from the States estimates, to give to the Congress some opportunity to determine how much money is necessary and how much money the several States are going to utilize. Under the language of the House bill, we do not open the Treasury and say to the people of Oregon, "Here, come and take this much money."

We do not say to the people of California or of Tennessee, "Here is what the estimates are."

They are only estimates, and in each case the Bureau of Public Roads, on a given standard, will determine whether to approve a contract by a State for highway construction, and the construction having taken place the bureau will determine whether to approve reimbursement.

Mr. NEUBERGER. I still do not understand that there are any fixed standards governing the estimates whereby, under the House bill, the program starts off the first 2 years. When the officials of the Bureau of Public Roads testified before the subcommittee, they indicated that there were no fixed standards.

Mr. KUCHEL. I will say to my friend from Oregon that the RECORD tomorrow will include a letter which I received today from the Commissioner of Public Roads—I do not have it before me now, but it is printed in the RECORD—in which he says the only way to do this job is on the basis of need. All we have before us today is the best estimate that could be given at the time by the States.

Mr. NEUBERGER. Is that not self-assessment?

Mr. KUCHEL. No; because the responsibility lies with the Bureau of Public Roads. If a State's estimate is too high, the State will not be given that much money by the Bureau of Roads.

Mr. NEUBERGER. Did the Bureau of Public Roads turn back to the States the estimates which were supplied to it?

Mr. KUCHEL. I can answer that question only in this fashion. If a given State has asked for too much money, the Bureau of Public Roads is not going to say, "Here, come and take all of it." The Bureau of Public Roads is going to approve in advance every contract within a State for road construction. On the other hand, if the people of Nevada ask for \$8 million and they get \$27 million under the Senate committee bill, the people of Nevada and their Senators, to their credit, will say, "We do not want this much money; we cannot spend it."

Mr. NEUBERGER. Let me ask the Senator another question.

If there is any accuracy in these estimates, how does the Senator account for the fact that on page 32 of the committee report containing various supplemental views, which is on the desks of all Senators, under the Fallon bill the distribution to the State of Pennsylvania, for example, is \$62 million, whereas, to the State of New Jersey, which, according to my understanding, is far smaller than is Pennsylvania in area and has a smaller population than has Pennsylvania, the amount is \$111 million, nearly twice that to the State of Pennsylvania. What accuracy is there in such a division as that?

Mr. KUCHEL. All the Senator is doing is referring to estimates. The Bureau of Public Roads is going to be required to apportion moneys on a reimbursement basis.

Prior to that reimbursement, the Bureau of Public Roads will determine in every single instance of a road construction contract anywhere in the Nation whether or not it is in keeping with standards, whether or not it is correct under the law; and having made such a determination, it will approve the State's claim to reimbursement, the reimbursement in no case, however, to exceed the amount of the estimates. At the end of 2 years, new estimates will be submitted to Congress.

Mr. NEUBERGER. Is not the particular division in the House bill which I have mentioned certain for the next 2 years?

Mr. KUCHEL. As an estimate, yes.

Mr. NEUBERGER. It is an actual distribution.

Mr. KUCHEL. Oh, no. That is incorrect. That is not the fact, Mr. President, and it should be iterated and reiterated in the RECORD.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield on that very point?

Mr. NEUBERGER. I yield.

Mr. CARLSON. I have no quarrel with the point which has been made by the Senator from California, but I call his attention to line 16, page 13, of the House bill:

The sums herein authorized for the fiscal years 1957 and 1958 shall be apportioned in the ratio which the estimated cost of completing the Interstate System in each State bears to the estimated total cost of completing the Interstate System in all of the States as set forth in the computations compiled by the Bureau of Public Roads on pages 6 and 7 of House Document No. 120, 84th Congress.

Mr. KUCHEL. Does the Senator from Kansas quarrel with that language?

Mr. CARLSON. I do not quarrel with it in its entirety. I quarrel with it in this regard: That the apportionments for the first years are based on estimates which, I say, in certain instances are unfair and unrealistic. Following the experience with costs of construction, I shall have no objection; but the first estimates, I think, are wrong.

Mr. KUCHEL. Let us try to nail this proposition down, so that there will not be any misunderstanding. Will the Senator from Oregon further yield?

Mr. NEUBERGER. I yield.

Mr. KUCHEL. The Senator from Kansas has referred to page 13 of the bill. I quote from the language of the House bill, page 13, line 16:

The sums herein authorized for fiscal years 1957 and 1958 shall be apportioned in the ratio—

I underline the word "ratio"—  
which the estimated cost—

I underscore "estimated cost"—

of completing the Interstate System in each State bears to the estimated total cost—

I underline that phrase—

of completing the Interstate System in all of the States as set forth in the computations compiled by the Bureau of Public Roads on pages 6 and 7 of House Document No. 120, 84th Congress.

In other words, to get the program underway, the House of Representatives in its bill has said, in effect, "We will take these estimates, and for the first 2 years the contracts which the Bureau of Public Roads lets in each State of the Union shall be generally in accordance with the estimate of each State against the total estimated cost for constructing the system." That is all.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. POTTER. On what basis does the formula allocation under the Senate committee bill operate? Is not the dollar allocation based upon the very same estimates to which the Senator has referred?

Mr. CARLSON. The allocations are to be based on the Fallon bill—the House bill—not on the Senate committee bill; not on the ratio as to total cost of the entire program. The first allocation will determine the amount of money which will go to each State in the fiscal years

1957 and 1958. I say those estimates are unrealistic and unfair.

Mr. KUCHEL. The Senator from Kansas will have the opportunity to listen in a moment to one of our able brethren who, in part, represents a State which, under the Senate committee bill, would get three times as much money as it has estimated it will need. That State does not want all the money, and it is to their credit that they say so. Some other States will get less money than they need.

The point is that all of these figures are estimates; and, good or bad, they will serve as guidelines, so to speak, for 2 years. They will provide a ceiling. If the money cannot be utilized under the ceiling within the estimate of each State, in 2 more years the committees of Congress, under the provisions of the bill, will have the right to correct the condition. It will be the duty of Congress to correct it. There will be three more opportunities after that to do exactly the same thing.

Mr. NEUBERGER. Since the Senator from California has referred to this matter, I call his attention to page 697 of the hearings which were held by the Subcommittee on Public Works. Commissioner Curtiss of the Bureau of Public Roads, testified as follows:

We found—and by “we” I mean the Bureau—when we analyzed the estimates submitted by the States, and I would like to make that clear that these estimates are not estimates of the Bureau of Public Roads, they are the estimates of the State highway departments, and we have merely analyzed and summarized and brought them together in this report.

In other words, the Bureau of Public Roads made no changes. I asked earlier if the Senator knew whether any changes had been made. The Bureau of Public Roads merely collected the estimates. They took what each State sent to the Bureau and merely submitted the figures from the States.

Mr. KUCHEL. I do not think the Senator from Oregon is quite accurate. Again, I shall have to ask the Senator to wait until tomorrow, because earlier today I gave to the Official Reporters, for inclusion in the RECORD, a letter I received from the Commissioner. I think the Commissioner would disagree with the statement which the Senator from Oregon has just made.

Mr. NEUBERGER. I read it exactly.

Mr. GORE. If the Commissioner disagreed with it, he would have to disagree with his own testimony.

Mr. NEUBERGER. I read exactly what the Commissioner said. Is it the position of the able Senator from California that the Bureau of Public Roads scaled down or changed or amplified the estimates?

Mr. KUCHEL. I never said that. I do not need to say it in order to make my point. All I said was that the Commissioner of Public Roads wrote me a letter, which I placed in the RECORD this morning, and in which he stated that, in his judgment, the basis of need or cost is the only basis upon which Congress can get the work done in 13 years. That is all I said.

I say, also, that the estimates for the first 2 years may be out of line. Some of them may be too low; others may be too high. But I maintain that at the end of 2 years, when the Bureau is required to make further estimates, subject to the approval of the Committees on Public Works, we will begin to have sounder estimates coming to Congress.

At the end of 13 years, when Congress shall have had the benefit of five reestimates, we shall have a broad, sound basis upon which to know that the needs will be satisfied to the exact extent necessary. No more money will be spent in any one State than is necessary; and no less money will be spent in another State than will be necessary.

Mr. NEUBERGER. I thank the able Senator from California. I shall not presume very much longer upon the time of the Senate, because I realize other Senators are waiting to speak.

I ask unanimous consent to have printed at this point in the RECORD my individual views as briefly stated in the committee report, because they summarize my feeling about the so-called estimates.

It is my opinion—I may be mistaken, but it is certainly sincerely held—that when we go to the estimates, the States having a smaller population, and therefore having ultimately less political influence nationally, will lose. I have tried to express in my brief individual views my sentiment that if we discard a fixed formula, on which he have relied so long to distribute highway funds, and rely upon estimates, then it will be a political matter; and in a political matter the relatively smaller States, in terms of population, will not fare very well.

I ask unanimous consent that my individual views may be printed at this point in the RECORD.

There being no objection, the individual views of Mr. NEUBERGER were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR RICHARD L. NEUBERGER

These points seem to me essential in considering differences between the highway bills passed by the House (H. R. 10660) and by the Senate (S. 1048):

1. The sums authorized annually for forest highways, forest development roads and trails, park roads and trails, and for parkways are more adequate in the House bill than in the Senate amendment. As I stated in the Committee on Public Works, it is my intention to offer an amendment to substitute the House-approved sums for the sums presently in the Senate amendment thereto. Forest development roads in the Pacific Northwest more than pay for themselves in the additional sums made available to the Federal Treasury, through better access to federally owned timber and increased competitive bidding when it is offered for sale. Furthermore, additional access roads in both forests and parks are made necessary by fact that recreational use of these outdoor playgrounds has nearly tripled during recent years. The automobile is the means by which virtually all these additional campers, hikers, fishermen, and hunters reach wilderness realms on Government lands.

The following comparisons will demonstrate why I favor the funds for forest and park road projects, as contained in the House bill, as being more realistic in view of in-

creasing pressures for transportation in these areas:

Roads on federally owned lands		
[Millions]		
Type	House bill, fiscal years, 1958-59	Senate amendment, fiscal years, 1958-61
Forest highways.....	\$25	\$22.5
Forest developments roads and trails.....	27	24
Park roads and trails.....	16	12.5
Parkways.....	16	11
Total, annual....	84	70

While these more adequate roads are necessary on Federal public lands, both for economic purposes and to facilitate access to their recreational opportunities in the automobile age, it is at the same time of the utmost importance to avoid invasion of wilderness areas and other roadless areas.

Such areas have been set aside in our national forests to preserve a tiny fraction of our country's land area, less than 1 percent, as completely as possible in the original condition of natural beauty and grandeur as the first explorers found it. No permanent shelters and no machine-driven means of travel are permitted in these areas.

While it might be assumed in any case, I think the record should be clear that planning and construction of roads under the Federal-aid highway program now before us will recognize and respect these roadless areas and the long-standing national conservation objectives which they serve.

2. The Senate amendment should contain the same provisions to protect wage standards on federally financed road projects, modeled on the Davis-Bacon Act, as are contained in the House bill. If the Government can safeguard wage structures and standards of living of men engaged in erecting hospitals and airports with Federal-aid funds, it is not less important and equitable that these safeguards be used to protect the men who build the Nation's major trunk highways.

3. There was proposed in the House an amendment providing for a comprehensive study of highway traffic-safety problems. The amendment was narrowly defeated. Because more than 36,000 Americans perish each year in automobile accidents, to say nothing of many more cruelly injured, and the enormous economic losses from traffic additions, such a study should be authorized and an amendment to that effect should be added to the Senate amendment.

4. The Territory of Alaska is still excluded from this Federal-aid highway legislation, in spite of the fact that this is our nearest land to the Soviet Union, and an expanded Federal highway program is cited by the administration as being crucial to national defense. Why should Hawaii and Puerto Rico be included and Alaska eliminated? Such discrimination makes neither rhyme nor reason.

Furthermore, residents of Alaska will pay the road and vehicle taxes included in title II of H. R. 10660, without sharing in the benefits made available by title I. This is the epitome of taxation not only without representation, but also without reciprocity. I plan to sponsor an amendment to bring Alaska within the provisions of the Federal-Aid Highway Act, but with some modification as to formula, so that Alaska's vast area will not make disproportionate the benefits thus conferred.

5. Although I believe that the House bill is more adequate and realistic as to the overall needs of the Nation, I have voted to substitute the language of the Senate bill for one basic and decisive reason. This is the difference in the formulas by which the authorized funds would be distributed under the two measures.

In the Senate amendment the Federal funds for the Interstate System are distributed according to a formula which is fair and which protects the interests and welfare of all States. Under this section of the Senate amendment, one-half of the funds are apportioned according to the existing formula, which has been in effect with general acceptance since the year 1921. That formula is predicated one-third on a State's population, and one-third on area, and one-third on rural-postal-route mileage in the State. The other 50 percent of funds for the Interstate System under the Senate amendment is based wholly on population.

Thus, in the Senate amendment, there is a fixed and definite formula. The standards are there for all to see. The yardstick is the same for every State. What the census has disclosed, what geography has accomplished, and what the Post Office Department has specified as rural and star mail routes—these factors decide the distribution of highway funds.

But in the House bill, the time-tested formula which has existed since 1921 has been junked. The whole distribution in the House bill is fixed according to what is described as needs. In other words, if one State highway department decides that it wants its interstate roads equipped with split-brick retaining walls and fog lights, then its needs are obviously far greater than those of States with less pretentious ambitions. In fairness to all States, can we permit self-assessment of different States' highways needs any more than we could dispense with Federal standards for aid to State public welfare, old-age assistance, hospital construction, or other matching fund programs?

As a Senator from a State with only 1 percent of the national population, I fear that abandonment of fixed statutory standards in favor of any nebulous apportionment of highway funds will inevitably work to the ultimate disadvantage of all the States with relatively small populations and accordingly with small congressional delegations and electoral strength. The protection of the smaller States is to be found in a definite formula. Such a formula cannot be violated and is beyond administrative caprice, while distribution of funds predicated on needs can mean anything the Secretary of Commerce desires it to mean.

I favor a statutory formula of apportionment of Federal highway construction funds among the States. For this single, compelling reason I have voted to substitute the terms of S. 1048 for title I of H. R. 10660. In other, less-fundamental features, I believe sections of H. R. 10660 are preferable and might be added to the Senate amendment. But I cannot vote for a bill under which Oregon, with a population of 1,670,000, would have to seek its share of funds for the Interstate System of Highways on the basis of needs, along with the most populous State, New York, with its population of 16 million. In that kind of competition, States like Oregon will not fare well in the long run. In addition, the administrative method

of apportionment of H. R. 10660, even with its provision for review by the congressional Committees on Public Works, risks plunging the distribution of Federal-aid highway construction funds into repeated controversy and making it subject to attempts at introducing political considerations.

We have avoided such a calamity for many decades. Let us not risk it now. The fixed formula of the past, modified slightly to keep pace with changing population patterns, is a far more prudent method of allocating our highway funds from Federal sources than according to something as intangible and indefinite as needs.

RICHARD L. NEUBERGER.

Mr. NEUBERGER. Mr. President, I thank the Senator from Tennessee for his forbearance and patience, but he knows that this matter is vital to all of us.

I have before me a table which deals with my State alone. It is dated May 10, 1956, and was prepared by the Western Highway Institute. I believe other Senators from Western States, including the distinguished junior Senator from Nevada [Mr. BIBLE], have similar tables dealing with their respective States. This table, from the general compilation of the Western Highway Institute, which refers particularly to the State of Oregon, indicates that under the Gore bill there is somewhat more revenue set aside for the Federal-aid primary system, for the Federal-aid secondary system, and for the urban highways and roads than under the Fallon bill.

Mr. GORE. Does not the Senator think that there will be a need, particularly since there will be so much relocation of the Interstate System, for interconnection of urban streets and highways with primary and secondary highways, and that more Federal aid will be needed than some persons now anticipate?

Mr. NEUBERGER. I agree completely, and I also think that some of us who are from agricultural States must not forget that the Interstate Road System, because of its very limited access, is not a farm-to-market system. We must not forget that other road systems, which are not so spectacular as the Interstate Road System, still need Federal aid.

I desired to ask the Senator from Tennessee a question. The criticism which has been made of the somewhat more generous allotments in the Gore bill is that some of the States may have difficulty in providing necessary matching funds. Has the Senator from Tennessee

given thought to that criticism, and what is his comment about it?

Mr. GORE. In the first place, the record of the States in matching Federal-aid highway funds has been that of almost 100 percent matching performance. There have been some instances of Federal funds not having been matched, but they are very much the exception.

In the second place, I doubt if even the State highway commissioners, let alone the Senate, can accurately foresee the need which may occur within the next 4 or 5 years for additional secondary, primary, and urban highways. The West particularly is growing, and growing very rapidly.

Mr. NEUBERGER. In other words, it is the feeling of the able Senator from Tennessee that the States will be able to provide the necessary matching funds to meet the allocations provided in his bill for roads other than the Interstate System?

Mr. GORE. If performance in the past is a guide to the future, then I say the answer is in the affirmative.

There is a third point I want to make. A formula for apportionment—a legal formula for apportionment—may very well, even in the case of secondary roads, provide for a particular State more generously than for another. We have never been able to devise a perfect yardstick for the apportionment of Federal funds with respect to highways, old-age pensions, or many other activities of our Government. However, whereas one State may be dealt with somewhat more generously than another, I do not see that we ought to penalize the State which is dealt with less generously because some States may be dealt with over-generously. So long as there is within the law the provision that unused funds, after 2 years, will lapse and will then become available for further apportionment, I think in the end we shall arrive at as nearly an equitable situation as can be arrived at.

Mr. NEUBERGER. I want to thank the Senator from Tennessee for his courtesy, his knowledge, and his patience in answer to these questions.

Mr. President, I ask unanimous consent that the Western Highway Institute table, as it applies to the State of Oregon only, with respect to distribution of these funds, be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimate of Federal-aid highway funds provided and State matching funds required by bills pending in Congress

		OREGON								
		[In millions of dollars]								
Year	Fund	Present act			Fallon bill			Gore bill		
		Federal funds	State funds	Total	Federal funds	State funds	Total	Federal funds	State funds	Total
1957	FAP, FAS, U	10.6	6.5	17.1	11.0	6.8	17.8	13.6	8.3	21.9
	Interstate	2.3	1.0	3.3	16.2	1.3	17.5	15.6	1.3	16.9
	Total	12.9	7.5	20.4	27.2	8.1	35.3	29.2	9.6	38.8
1958	FAP, FAS, U				11.3	6.9	18.2	13.9	8.5	22.4
	Interstate				23.0	1.9	24.9	23.3	1.9	25.2
	Total				34.3	8.8	43.1	37.2	10.4	47.6

Estimate of Federal-aid highway funds provided and State matching funds required by bills pending in Congress—Continued

## OREGON—continued

[In millions of dollars]

Year	Fund	Present act			Fallon bill			Gore bill		
		Federal funds	State funds	Total	Federal funds	State funds	Total	Federal funds	State funds	Total
1959	FAP, FAS, U				11.7	7.2	18.9	13.9	8.5	22.4
	Interstate				27.0	2.2	29.2	26.7	2.2	28.9
	Total				38.7	9.4	48.1	40.6	10.7	51.3
1960	FAP, FAS, U				12.1	7.4	19.5	13.9	8.5	22.4
	Interstate				29.7	2.4	32.1	26.7	2.2	28.9
	Total				41.8	9.8	51.6	40.6	10.7	51.3
1961	FAP, FAS, U				12.5	7.7	20.2	13.9	8.5	22.4
	Interstate				29.7	2.4	32.1	26.7	2.2	28.9
	Total				42.2	10.1	52.3	40.6	10.7	51.3
1962-68	FAP, FAS, U				97.9	60.1	158.0	97.0	59.5	156.5
	Interstate				198.6	16.4	215.0	186.6	15.4	202.0
	Total				296.5	76.5	373.0	283.6	74.9	358.5
1969	FAP, FAS, U				15.5	9.5	25.0	13.9	8.5	22.4
	Interstate				13.5	1.1	14.6	26.7	2.2	28.9
	Total				29.0	10.6	39.6	40.6	10.7	51.3
1957-69	FAP, FAS, U				172.0	105.6	277.6	180.1	110.3	290.4
	Interstate				337.7	27.7	365.4	332.3	27.4	359.7
	Total				509.7	133.3	643.0	512.4	137.7	650.1

Mr. NEUBERGER. Mr. President, in general I agree with the Senator from Tennessee, who has taken the position consistently in this entire issue, extending well over the period of a year, that a fixed formula for distribution of these funds is better for most of the States than so-called estimates.

I want to say in conclusion, before I yield the floor, that on tomorrow I hope to comment very briefly in support of the Davis-Bacon provision, which I hope will be included in the Senate version of this bill. The Senator from Tennessee will remember that last year in committee, it was the junior Senator from Oregon, I think, who made the motion that the Davis-Bacon provision be included in the bill, and I voiced some protest on the floor when it was taken out of the highway bill at the time of the debate on it. I believe it was a mistake to delete the Davis-Bacon provision for the application of prevailing wages, because if that provision can be applied to the construction, with Federal funds, of hospitals, housing, airports, and other facilities, it certainly seems no less fair that the Davis-Bacon provision should apply to the construction of the Interstate Highway System.

I hope the Senator from Tennessee, with his great influence, will see fit to support the inclusion of the Davis-Bacon provision in the bill on tomorrow, Tuesday, when I understand it will be before the Senate for a vote.

Mr. GORE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. GORE. I do expect to support the amendment. As the Senator knows, a year ago I supported in committee the move to have the amendment included in the committee bill at that time.

With respect to the desirability of apportioning and distributing funds on the basis of a legal formula, in contradistinction to estimates, I desire to emphasize

what the Senator from Oregon referred to as self-estimates. One thing I have difficulty in understanding and comprehending is how so many Senators race to the conclusion that the \$25 billion is going to be sufficient to give every State all the money it estimates it may need under the most volatile imagination. The \$25 billion cannot be stretched that far.

As I have indicated to the Senate, my own State has made an estimate which is 77 percent larger than the first estimate on which the \$25 billion figure was based.

I wish to conclude by expressing my appreciation for the privilege of working with the distinguished junior Senator from Oregon. He has been diligent in committee work. He has been steadfast in studying the problem, not only from a national standpoint, but also from the standpoint of the West and the standpoint of Oregon. For instance, he has been insistent that adequate consideration and treatment be given to forest and park highways. I believe he has an amendment now pending at the desk on that very point.

Mr. NEUBERGER. My amendment would make the sums for forest, park, and Indian reservation roads identical with the allocations contained in the House bill.

I thank the Senator from Tennessee. With regard to his kind compliments for the junior Senator from Oregon, I wish to say the latter has a great deal to learn, and he has learned a great deal today.

Mr. BIBLE. Mr. President, will the Senator from Oregon yield, so that I may ask a question? I am very well aware of the fact that the Senator from Kansas wishes to have the floor, and was previously recognized.

Mr. NEUBERGER. With the forbearance of the Senator from Kansas, I yield to the Senator from Nevada.

Mr. BIBLE. It seems to me this would be a timely place to ask this question. I

know the Senator from Tennessee is very well aware of the problem I have mentioned to him as concerns primary, secondary, and urban roads. The problem of the State of Nevada, through the allocation of \$900 million for this 5-year program—

Mr. GORE. I am sure the Senator refers to Nevada's share of the \$900 million.

Mr. BIBLE. Nevada's share of the \$900 million. I thank the Senator for his correction. I refer to the problem of receiving more than the officials feel they can match or can provide an adequate engineering staff for. I intend, a little later, when I secure the floor in my own right, to introduce a table pointing out with respect to Nevada what the Senator from Oregon pointed out with respect to Oregon. I wonder if the Senator from Tennessee can tell me how the Public Works Subcommittee arrived at the figure of \$900 million, as contradistinguished from the House figure of \$700 million, stepped up in \$25 million increments.

Mr. GORE. As the Senator from Nevada knows, legislation is not an exact science, any more than medicine is. We took all the estimates we had, all the testimony before the committee, the knowledge and experience of individual Senators, some of whom have been governors of their respective States, and we arrived at an estimate which represented the best judgment of the committee. That is as nearly as I can state to the Senator from Nevada how the committee proceeded to arrive at the recommended \$900 million for the three systems of Federal-aid highways.

I wish to inform the Senator from Nevada that in my opinion the Senate committee gave more consideration to the early and rapid growth of the country than did the House committee or the House; and we particularly gave more

attention, in my opinion, to the need for additional extensions to tie in with the Interstate System, which is to be rebuilt and relocated in large measure under the provisions of the bill. Therefore we felt that more funds were needed.

It may be that in the case of Nevada, more funds are allocated for the primary, secondary, and urban roads than the officials of Nevada can foresee a need for. However, I wish to state to the Senator from Nevada that those officials will have from 4 to 5 years to make their final determination as to the period of time in which the actual expenditure of those funds may be made.

Mr. BIBLE. I shall be very happy to have the Senator from Tennessee outline that situation.

Mr. GORE. I shall be glad to do so. Of course the Senator from Nevada realizes that, after the apportionment, there is to be a 2-year period before the unused apportionment would lapse.

Mr. BIBLE. Yes, if the funds were not appropriated.

Mr. GORE. Very well. If at any time before the 2-year period expires, the officials of his State file a program with the Bureau of Public Roads, that will amount to a commitment of the apportionment. Then, in the normal course of events, there will be a period of from 2 to 2½ years for the acquisition of rights-of-way, for the surveys, for the engineering designs of the highways, and for the program to be actually placed under construction. Even with that extension, it might be that there would still be available for matching more funds than the State of Nevada would wish to avail itself of.

However, the committee did not feel that it should exclude Nevada from the benefit of the apportionment formula which has been in effect for many years. I am sure the distinguished Senator from Nevada would not wish his State excluded from the formula.

Mr. BIBLE. I certainly agree with the formula idea.

Mr. GORE. I am sure the Senator from Nevada would not wish his State to be excluded from the formula if it works out in such a way as to be overly generous to Nevada.

Mr. BIBLE. As well as possibly to 10 other Western States, for about 10 other Western States are similarly situated.

Mr. GORE. But if the formula also meets the needs of other States, then I really cannot see how Nevada or any other State could seriously complain, because it would not be deprived of any benefit. Indeed, it would have available these funds for matching. If a State does not desire to match them, then they are simply not apportioned.

With respect to many of the other States, the needs are great. I dare say that under the \$900 million apportionment, the amount apportioned to several States will not be sufficient to meet their needs. Then we shall face the difficulty of deciding whether we wish to exclude certain States from the operation of the formula or whether we wish to change the formula.

The committee decided to arrive at a figure representing its best judgment, and to leave the formula with respect to the primary, secondary, and urban roads in the way it has been for many years.

Mr. BIBLE. I thank the Senator from Tennessee, because I certainly recognize the great difficulties involved in attempting to work out a formula that will treat every State in accordance with its needs.

I wonder whether the Senator from Tennessee and the subcommittee have given thought to continuation of the \$900 million beyond the 5-year period.

Mr. GORE. Only to the extent of writing into the bill a declaration of intent, namely, that it is the purpose of the committee to sponsor a program that will bring all our Federal-aid highways to a condition of adequacy. The committee realizes that an extension of the program will be necessary, but the committee has not undertaken to predetermine whether \$900 million will be necessary or whether a lesser or a greater amount will be necessary.

Mr. BIBLE. So there is no way to say that \$900 million, multiplied by 13—for the 13 years—will be necessary in order to reach approximately the same total as that arrived at in the House version of the bill, which provides for increasing the \$700 million by \$25 million a year.

Mr. GORE. Certainly there is no reasonable basis for assuming that the House version of the bill will arrive at a given amount beyond 3 years, because there is only a 3-year apportionment, insofar as the primary, secondary, and urban roads are concerned.

Mr. BIBLE. Yes; but I realize there is a clear declaration of intent to build up the fund in increments of \$25 million.

Mr. GORE. Yes; but in the case of the urban, primary, and secondary roads it is unrealistic to extend either bill by calculation for a period of 13 years. One version of the bill contains provision for a 5-year apportionment. The other version of the bill contains provision for a 3-year apportionment.

Mr. BIBLE. I am trying to say to the distinguished Senator from Tennessee—and in this connection I heard a statement not long ago by the Senator from California—that for the first time in my service in the Senate I am in the anomalous position of saying that my State will receive too much. Certainly that is true under both the tables for the Interstate System and the formula for the primary, secondary, and urban roads. I admit that that is a rather unique position for a Senator to take. However, our interest is very much akin to that of California, because Nevada is a "bridge" State, so to speak; Nevada serves two main transcontinental highways. So it is important to the people of my State not only to have the Interstate System built to adequate standards, but also not to be hemmed in by an inadequate system, in the case of highway transportation to the Pacific coast. Likewise, the people of San Francisco wish to go inland to Nevada. There should be no bottleneck because of inadequate State highways from San Francisco to Reno or from Los Angeles to Las Vegas.

So, although the Senate version would give the State of Nevada far more than it needs on its Interstate System, I know, from the very limitations of economics, that only so many matching dollars can be raised from the taxpayers in our State; and, of course, the State can take only sufficient to build the Interstate System into an adequate system. I think that is likewise true, judging from the colloquy engaged in with the Senator from Tennessee, so far as the primary, secondary, and urban system is concerned. So the real problem is not only a matching problem, but also an engineering problem, so far as we are concerned.

I thank the Senator very much, and pay him tribute, as other Senators have done, for the energetic and thorough work he is doing in connection with this legislation.

Mr. GORE. I thank the Senator. He is bothered by a problem with which I have never been confronted. My State is usually on the short end of the deal. It usually receives too little rather than too much.

Mr. CARLSON. Mr. President, we are considering today legislation to launch the biggest road-improvement program in the history of our country.

I am in accord with the intent of this program. Almost unbearable traffic congestion is steadily growing worse in many places on our highway system, and it must be relieved. A vital remedy to the mounting slaughter of our citizens in traffic accidents is that of improving our road system.

At the same time we must consider the huge amount of cost involved in such a tremendous undertaking. The cost ultimately goes back to the road user. The road-use taxpayer must foot the bill. Most of our citizens, I believe, are strongly in favor of highway improvements. Yet all of them want an equitable distribution of what they pay in the form of roads they can use. I am sure this is the feeling in my home State of Kansas.

The only practical method to achieve equity for the taxpayer under Federal legislation is to preserve his own State's rights, which should be protected in every possible way.

Let us remember that the States are charged with the responsibility of building roads. Therefore, proposed Federal legislation is a measure to assist and aid the States just as the term "Federal aid" implies. When the Federal Government legislates its aid to the States for highway improvement it taxes the same sources that the States must tax for the same purpose.

Our total road and city street highway system now approaches 3,350,000 miles—our secondary system is 483,000 miles—our Federal aid primary system is 235,000 miles—our Interstate System 40,000 miles.

Present Federal legislation now before us places its emphasis on the 40,000 miles of Interstate System. I am not in disagreement with the importance of the Interstate System from a national standpoint. However, I wish to call attention to the fact that there are many thou-

sands of miles of other highways important to both State and national economy, and the taxpayers who live in their proximity.

The Interstate System is highly important; but I think there are means by which the Interstate System could be built and at the same time improve many other important roads not on the System. Also, by utilizing such means the Interstate System's critical roads could be built much faster than present legislation envisions, while a great share of the tax funds could be used on these other highways.

My suggestions have to do with the use of private capital through toll revenues by State agencies, a course which is now proving itself all over the Nation.

It seems to me that here is a means by which the States and the taxpayers and everyone concerned can be benefited. It is an optional program, to be used by States only if they determine it is to their best interests. It will permit States to utilize private capital through toll revenues, as so many have already done, to substitute for increased State tax levies in support of road improvement on the Interstate System.

My own State of Kansas could use such a program to good advantage, and I am sure many other States could do likewise. At the same time no other State is injured or discriminated against in its own road program. In the overall program this is not a mandatory provision, but a voluntary matter to be determined on the basis of each State's best interests.

An amendment to this bill is suggested which would allow States, if they choose, to build their critical sections on their Interstate System by means of private capital raised from toll revenues in conjunction with their interstate Federal-aid apportionments. Such a course would relieve many States from raising additional State road-use taxes.

The presently proposed Federal highway legislation fails to take advantage of construction of roads by means of private capital through toll revenues. The effect will be to curtail toll-road construction almost to the vanishing point on the Interstate System.

The failure to accept the principle of toll roads means the abandonment of \$10 billion or more of private capital on from 10,000 to 12,000 miles of interstate roads, which could be built by means of temporary tolls by the State in combination with a nominal amount of Federal aid from the State's interstate allocation.

The great bulk of Federal tax moneys, under the present form of legislation, will be dedicated to the 40,000 miles of the Interstate System for the next 13 years. If the cost of the Interstate System is to be borne by all road-use taxpayers there is bound to be inequity.

Less than 20 percent of traffic travels the Interstate System. Over 80 percent travels other roads. All new additional taxes and part of present taxes for Federal aid will go to the Interstate System. Therefore, over 80 percent of the taxpayers will be paying for a road system which they seldom, or never, travel.

Construction of the Interstate System is proposed on an annual basis proportionate to the annual allocation from tax receipts. This means that, in general, it will require the length of the proposed 15-year construction program to complete even the more critical roads. There will be some exceptions, but public demand and pressure in most States will result in spreading construction to all interstate roads in each State each year of the program. Each year's construction will be limited by the annual allocations.

The suggested amendment to the present highway bill would accomplish three major objectives:

First. Substitute private capital through temporary tolls in place of tax moneys as far as practicable, so that an equivalent amount of the tax funds could be utilized on other Federal-aid roads—thus giving all taxpayers more road improvement in their localities and spreading tax moneys into a vastly broadened road program.

Second. Make possible immediate construction of the most critical projects from the standpoint of traffic and safety, so that many thousands of miles could be completed in from 3 to 4 years instead of waiting the 15 years of the program.

Third. Preserve States' rights by allowing each State to choose its own method of financing and determine its own highway priorities; also to provide means by which States can furnish State funds without further increasing their road-use taxes.

Present legislation proposes that the Federal Government pay 90 percent and the States 10 percent of the cost of construction on the 40,000 miles of the Interstate System. The amendment suggested would allow States to select certain projects on their Interstate System where the State would pay no less than 50 percent of the cost, and as much more as possible and desirable, with the State's share coming from private capital based on toll revenues.

On such projects, instead of 90 percent of the cost the Federal share would be no more than 50 percent, and in many cases where traffic is heavy, much less than 50 percent.

In other words, wherever feasible the Interstate System could be built by the States and the Federal Government by using a combination of private capital through toll revenues and Federal aid. This method would result in huge savings by individual States in their annual apportionments of interstate Federal aid—and these amounts could be diverted for construction of other Federal-aid roads in such States.

In no case would Federal funds be subject to interest or financial charges. There would be no increase in cost or taxes. No State would benefit more than another so far as its Federal-aid apportionment is concerned. States which have highways with traffic heavy enough to justify toll revenues in conjunction with a limited amount of Federal aid would benefit through improvement of other roads and quick construction of their critical projects.

The point may be brought up that some roads would require tolls and others would not. That is true temporarily. However, use of toll roads is voluntary and other roads can be used as a matter of choice. Tolls are temporary until debt is retired. States using tolls would gain the equivalent of the toll contribution for improvement of other roads. It is not as discriminatory for less than 20 percent of the taxpayers to pay tolls temporarily and voluntarily on critical highways as for over 80 percent of the taxpayers to pay taxes for highways which they virtually never use.

Under the trust fund section of the proposed Federal highway bill, it is believed that an amendment would be workable if acceptable, which would include the following:

First. If a State desires to construct a section of the Interstate System immediately and agrees to advance no less than 50 percent of the cost thereof immediately, the Secretary of Commerce may contract with such State to apportion to it annually over the period to 1969 the remaining cost from the State's allocation of interstate Federal aid out of the highway trust fund.

Second. Any such contract shall be deemed to be an obligation of the United States.

Third. The State's contribution of no less than 50 percent may be provided from any resource of the State or an agency thereof, including proceeds of toll revenue bonds, provided that the road shall be toll free as soon as the State debt is retired.

Fourth. States or agencies thereof may borrow in anticipation of receipts of Federal contract payments, provided that no Federal funds shall be subject to payment of interest or financial charges.

Fifth. In any such contractual agreement between a State and the Federal Government an amount equivalent to the State's contribution of the project cost over and above the required 10 percent shall be apportioned to such State from the highway trust fund on an annual basis of appropriations, and the amount so apportioned to be taken from the State's annual allocation of interstate Federal aid, and to be used by the State for either (a) construction of other Federal-aid roads, or (b) debt retirement, or (c) both.

Mr. President, I ask unanimous consent to have printed at this point an amendment which I believe would achieve these objectives.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Notwithstanding any other provision of this act, or any other provision of law, the Secretary of Commerce is authorized, as provided herein, to enter into agreements on behalf of the United States, with any State or any agency or instrumentality thereof for the payment to said State or an agency or instrumentality thereof over a period of years, not exceeding 13, of funds payable under this act on account of any project on the National System of Interstate Highways to assist such State or agency or instrumentality thereof in the financing of the

immediate construction of a project on the National System of Interstate Highways.

The Secretary shall enter into an agreement with any State or agency or instrumentality thereof only if—

(a) Such State or agency or instrumentality thereof is empowered to enter into an agreement with the Secretary under this section and otherwise comply with the provisions of this act;

(b) Such State or agency or instrumentality thereof shall demonstrate to the satisfaction of the Secretary the desirability of immediate construction of the project on the National System of Interstate Highways to which the agreement relates; and

(c) In States where the agreement is to be entered into between the Secretary and an agency or instrumentality of such State, the Governor shall have approved such an agreement.

An agreement pursuant to this section shall provide that the State, or the agency or instrumentality thereof entering into the same, shall proceed immediately with the construction of the project on the National System of Interstate Highways to which the agreement relates, and such project may be a toll project or a free project, as shall be determined by the State or the agency or instrumentality thereof entering into such agreement.

In the event the project covered by such agreement shall be a toll project, such agreement shall obligate the State or the agency or instrumentality thereof constructing the same to cause such project to become free to the public upon retirement of any bonds or other obligations issued to finance the cost of such project.

Such agreement shall provide for the payment to the State or the agency or instrumentality thereof constructing the project of no more than one-half of the cost of construction of the project covered thereby, as approved by the Secretary, excluding interest on any obligations issued by the State or such agency or instrumentality to finance its portion of the cost thereof and any financing charges relating to any such obligations so issued. Such payment shall be made in equal annual installments over such period of years, not exceeding 13, as shall be agreed upon by the Secretary and the State or agency or instrumentality thereof entering into such an agreement. No agreement entered into pursuant to this section shall provide for the payment thereunder to the State or agency or instrumentality thereof, in any 1 year, of funds in excess of 50 percent of the funds which such State will be entitled to under the apportionment of the Federal share payable on account of projects on the National System of Interstate Highways for the fiscal year ending June 30, 1957. Moneys paid to a State or agency or instrumentality thereof under such an agreement shall be applied to the payment of actual construction costs of the project or the payment of the principal of obligations issued in connection with the financing of the cost of such project.

Such agreement shall also provide that the difference between the 50 percent or less of the project cost payable to the State or agency or instrumentality thereof entering into the same and the amount otherwise provided in this act as the Federal share payable on account of such project on the National System of Interstate Highways shall remain available to the State as additional Federal aid for the purposes specified in this act and shall be used for such purposes as may be agreed upon by the Secretary and the State; provided, however, such Federal aid may be used by the States without State matching requirements.

Such agreement shall also provide that the expenditure of funds contracted to be paid under such agreement shall be subject to all of the conditions, restrictions, and limitations contained in this act with respect to the appropriation and apportionment of funds for the National System of Interstate Highways, except as otherwise in this section expressly provided.

The faith of the United States is solemnly pledged to the payment of all moneys contracted to be paid by the Secretary pursuant to this section, and there is hereby appropriated in each fiscal year, out of any money in the Highway Trust Fund not otherwise appropriated, the amounts necessary to provide for such payments.

Mr. CARLSON. My own State of Kansas is among a score or more of States which have already undertaken on their own the improvement to modern standards of a part of their Interstate System in an effort to relieve the evergrowing traffic congestion and to promote safety and economy in travel.

Kansas and these many other States have built or are building divided highways, expressways, and turnpikes, some of them tax roads, most of them toll roads. My State is now building a toll road of some 236 miles in length, extending in the main along the route of part of our Interstate System. Other States have done or are doing the same thing.

These highways must become inevitably a part of the Interstate System. The States, however, are paying their cost. Under the legislation before us the remainder of the Interstate System will now be paid for with Federal Government assuming 90 percent of the cost.

I ask, Why should the States which took the initiative, pioneered in the field, led the way, so to speak, in the program of through-highway modernization penalized by having what they have built and paid for be financially ignored in this legislation?

In my own State of Kansas our nearly completed turnpike will modernize close to one-half the Interstate System in our State. Under present legislation Kansas will receive little more than half of the 90-10 allocation which the State would have received had Kansas sat back and done nothing about the interstate road problem. We are just one State. Many others are affected in the same manner, and many of them in greater degree.

I am heartily in favor of the study provided by the House bill, which calls for ways and means to be studied in an effort to reimburse the 20 or more States which have already contributed to the Interstate System with modern, up-to-date expressways. The amount of reimbursement received would be used to construct other Federal-aid highways.

Yet, it seems to me, we should in all fairness and equity go a step further, and instead of merely providing for a study, implement the study with a modest amount of funds to show good faith in the intent of Congress for reimbursement purposes. This amount need not be so large it will jeopardize the program,

nor affect in any appreciable degree the overall allocations. But it will prove that we mean to do what is equitable, just and fair, during the 2-year period until the study is presented to the Congress in 1958.

During the delivery of Mr. CARLSON'S speech,

Mr. CASE of South Dakota. Mr. President, will the Senator from Kansas yield to me, to permit me to send an amendment to the desk?

Mr. CARLSON. Yes, provided that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CASE of South Dakota. I thank the Senator from Kansas.

Mr. President, I request that these remarks by me be printed in the RECORD following the remarks of the Senator from Kansas.

I submit an amendment intended to be proposed by me, together with a table showing how the funds shall be distributed under the provisions of the amendment. I ask unanimous consent that the amendment be printed in the RECORD, for the information of the Senate.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment intended to be proposed by Mr. CASE of South Dakota is as follows:

On page 48 of the bill, line 15, strike out all of section 113 and insert in lieu thereof the following:

"Sec. 113. The Secretary of Commerce shall study the designation of routes heretofore made for the National System of Interstate Highways and determine whether those routes as designated best serve the purposes of the system under present conditions and those likely to prevail in 1974 and shall make a report to the Congress not later than January 15, 1958 with his recommendations for allocation or reallocation of the mileage of the authorized system or any portions of it not designated: *Provided*, That no presently designated portion of the system shall be modified without the concurrence of the highway authority of the State or States concerned."

Mr. CASE of South Dakota. Mr. President, I also ask unanimous consent to have printed in the RECORD a table which will give Senators an opportunity to compare possible apportionments to the several States under various methods. I have had this table prepared by the Bureau of Public Roads on the basis of an even \$1 billion, so that Senators may adjust it to any year or combination of years of authorized apportionments. In order to make the total comparable to the tables which deal with a combination of 1957 and 1958 in the total of \$2,750,000,000, the amount in any column should be multiplied by 2.75.

There being no objection, the table was ordered to be printed in the RECORD.

Five interim formulas showing approximate distribution by States of the 1957 \$1 billion Senate bill authorization for the Interstate System, for possible use pending completion of cost studies

[Millions of dollars]

State	House bill	Senate bill	$\frac{1}{2}$ population, $\frac{1}{2}$ mileage	$\frac{2}{3}$ population, $\frac{1}{3}$ mileage	$\frac{5}{6}$ population, $\frac{1}{6}$ mileage
Alabama	15.7	20.3	22.0	21.4	20.9
Arizona	9.0	11.5	17.3	13.2	9.1
Arkansas	8.7	14.5	13.2	13.0	12.9
California	99.8	57.0	62.1	64.8	67.5
Colorado	6.7	13.7	12.8	11.5	10.2
Connecticut	23.9	9.6	10.2	11.2	12.3
Delaware	2.8	6.3	1.6	1.8	1.9
Florida	21.3	17.0	23.8	22.0	20.2
Georgia	30.1	23.3	26.1	25.0	24.0
Idaho	4.6	10.1	10.2	8.1	6.0
Illinois	45.8	47.1	49.7	52.4	55.1
Indiana	37.3	24.3	26.9	26.7	26.4
Iowa	11.9	20.4	17.9	17.7	17.6
Kansas	8.9	18.1	15.9	14.8	13.7
Kentucky	21.2	18.8	18.1	18.6	19.0
Louisiana	21.2	16.5	17.1	17.3	17.6
Maine	6.3	8.0	7.0	6.7	6.4
Maryland	18.7	12.0	12.2	13.4	14.5
Massachusetts	36.0	21.3	20.7	24.2	27.6
Michigan	55.7	36.0	34.8	37.3	39.8
Minnesota	20.8	22.5	21.6	21.0	20.4
Mississippi	10.6	15.9	15.9	15.4	15.0
Missouri	25.7	27.1	27.6	27.2	26.8
Montana	6.6	14.4	17.4	12.9	8.4
Nebraska	4.6	14.3	10.7	10.1	9.4
Nevada	3.2	10.4	7.3	5.2	3.2
New Hampshire	2.9	6.3	4.5	4.1	3.8
New Jersey	58.4	21.9	20.5	24.4	28.2
New Mexico	10.1	12.1	14.9	11.4	8.0
New York	57.5	70.9	64.6	75.9	87.1
North Carolina	10.6	25.5	22.4	23.9	25.5
North Dakota	4.6	11.1	8.5	7.0	5.6
Ohio	58.5	42.8	43.2	46.4	49.5
Oklahoma	16.2	17.9	17.8	16.8	15.8
Oregon	13.7	13.6	14.5	13.0	11.6
Pennsylvania	32.7	53.6	53.8	58.8	64.2
Rhode Island	5.3	6.3	3.5	4.1	4.7
South Carolina	7.9	13.4	16.6	15.8	14.9
South Dakota	4.1	11.6	8.8	7.3	5.8
Tennessee	16.3	21.4	24.5	23.7	22.7
Texas	37.5	57.5	62.0	58.4	54.8
Utah	10.2	9.7	11.2	9.0	6.8
Vermont	7.6	6.3	5.6	4.6	3.5
Virginia	24.5	20.2	23.6	23.1	22.5
Washington	20.1	16.1	15.8	15.8	15.8
West Virginia	11.1	11.9	9.5	10.8	12.0
Wisconsin	13.9	22.8	17.4	19.2	21.0
Wyoming	12.7	10.4	13.7	9.8	5.8
Hawaii					
District of Columbia	6.5	6.3	3.0	3.8	4.5
Puerto Rico					
Total	1,000.0	1,000.0	1,000.0	1,000.0	1,000.0

Mr. BEALL. Mr. President, in considering the highway legislation which has been proposed this year, it is important for us to remember that we are dealing with roads through cities, as well as with the cross-country roads which wind through relatively open areas. Mayor Thomas D'Alesandro, Jr., mayor of Baltimore, has issued a statement on this matter, and I asked unanimous consent that it be printed in today's RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THOMAS D'ALESSANDRO, JR., MAYOR, BALTIMORE, MD., IN SUPPORT OF THE NATIONAL HIGHWAY PROGRAM

Mr. Chairman, the fact that we desperately need a greatly expanded Federal highway construction program has been well established. Legislation, as proposed by the Fallon bill, H. R. 10660, must be enacted if we are to survive and thrive as a Nation. As mayor of a big city, I speak particularly for the National System of Interstate Highways, where this system passes through the urban areas. Also, I speak for the mayors of many other cities and towns throughout the Nation, where highway and traffic conditions are similar.

If we study the highway maps and trace the many routes used by the traveler, we can readily see that people are definitely go-

ing from one fixed place to another, and, in most instances, at least one of these places is the big city. How often have you traveled along a well-developed State highway, at an almost undisturbed and unrestricted pace, only to be suddenly retarded to a snail's-pace speed as you approach and enter the city? All these fast-moving, free-flowing vehicles must be threaded through the eye of the needle—the city street. These undeveloped and long-neglected systems of city streets are the major traffic bottlenecks of today.

But why is this true? For many years we have planned elaborate State highways, and seldom or never have we carried them through the cities. These State highways, almost without fail, stop at the city line, and the mass of vehicles must filter through the already overcrowded, traffic-jammed city streets. Therefore, I want to lay particular emphasis on the construction of a national system of interstate highways through the cities and towns—because the city or town is where the traveler wants to go. This system through the urban areas must be designed and constructed to the same high standards as in the rural areas.

Most cities are already burdened with taxes and expenses in carrying on the many necessary functions that make up a big city, the many services that are necessary and required where there is a great concentration of people. Therefore, if we expect to complete the Interstate System within a reasonable time, Federal financial assistance

will have to be materially increased, particularly in the urban areas. With Federal participation on a 90-percent basis, we can both build these much needed highways and also carry out the many other local mandatory functions. Also, with Federal allocation of funds on a 90-10 basis, we can greatly accelerate the construction of the Interstate System through the cities and realize their use before it is too late and the big cities are strangled by traffic congestion. The urban sections of this system will be much more costly to construct than rural sections.

Therefore, gentlemen, when considering this Federal-aid highway legislation, I urge you to give special consideration to the urban sections, to the end that the cities receive an adequate share of the highway funds allotted. Only then will we have a well-integrated system of defense highways passing through State, city, town—all the way from origin to destination—and when completed, they will render an unpredictable contribution to the Nation's economy, defense, and security. But, most important of all, they will go a long way toward reducing unnecessary loss of life through highway accidents.

Mr. KUCHEL. Mr. President, the specific question before the Senate is the amendment which, in a word, provides that the provisions of the Davis-Bacon Act—the prevailing wage law—apply to the moneys expended by the Federal Government for the Interstate Highway System.

I wish to speak in favor of that amendment.

I had previously announced that I intended to offer the same amendment. Let me recall that in the 84th Congress, 1st session, the question of whether the Senate highway bill should have the provisions of the Davis-Bacon Act apply came before our committee. I was one of the members of the committee who voted in favor of making it apply, as did the present occupant of the chair, the Senator from Michigan [Mr. McNAMARA].

When that issue was on the floor of the Senate last year, although the Senator from Michigan and I and some other Senators fought to retain the provisions of the Davis-Bacon Act, nevertheless the Senate saw fit to delete it.

Let me read the text of the amendment which is now pending before us:

The Secretary of Commerce shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Interstate System authorized under section 102 of this title shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the act of August 30, 1935, known as the Davis-Bacon Act (40 U. S. C., sec. 276 (a)).

The Davis-Bacon Act has been on the Federal statute books for a long time. It derives its name from two late distinguished Members of Congress, Senator James Davis, of Pennsylvania, and Representative Robert Low Bacon, of New York.

When the legislation was originally sponsored by these late Members of Congress, Mr. Bacon made a statement, which I wish to read into the RECORD.

I believe it indicates why he asked Congress to pass legislation providing for the payment of prevailing wages on Federal construction. I quote what he said:

I want to cite the specific instance that brought this whole matter to my attention. The Government is engaged in building in my district a Veterans' Bureau hospital. Bids were asked for; several New York contractors bid, and in their bids, of course, they had to take into consideration the high labor standards prevailing in the State of New York. I think I can say that the labor standards in New York are very high. The wages were fair, and there has been no difficulty in the building trades between the employee and employer in New York for some time. And the situation existed therefore, and the New York contractors made their bids, having the labor conditions in mind. The bid, however, was let to a firm from the South, and some thousand non-union laborers were brought to New York in my own congressional district. They were hired onto this job, they were housed, and they were paid a very low wage, and the work proceeded. Of course, that meant that labor conditions in this part of New York State where the hospital was being built were entirely upset. It meant that the neighboring community was very much upset.

Suffice to say, Mr. President, in 1931 the Davis-Bacon Act was adopted by Congress and signed into law by the President of the United States. It is a fairly short law. I shall not read it all, but I wish to read a brief summary of it which the Congressional Quarterly has prepared:

The Davis-Bacon Act (40 U. S. C. 276 (a)) requires that all contracts in excess of \$2,000 for construction of Federal public works or buildings include the condition that wages must be paid laborers and mechanics at rates not less than those paid workers on similar projects in the cities, towns, village or other civil subdivision of the State where the work is performed. The Secretary of Labor determines what the prevailing wage is in the locality.

The determination is made by the Secretary before the bids for contracts are advertised. The boundaries of the area and the methods of determining prevailing rates are decided by him. There is no appeal from his decision. Currently, about 20,000 separate decisions predetermining the prevailing wage rates are issued by the Department of Labor each year.

If the contractor pays mechanics and laborers less than the minimum prevailing wage determined by the Secretary, payment may be withheld to make up the difference and the Government may cancel the contract. Contractors who do not fulfill the prevailing wage requirement are prohibited from receiving Government contracts for 3 years thereafter.

Mr. President, I ask unanimous consent that comments from a recent Congressional Quarterly, entitled "Background," "Davis-Bacon and Highways," "Pro and Con," and "Support, Opposition," be printed in the RECORD at this point in my remarks.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

#### STATEMENT ON THE DAVIS-BACON ACT

The Davis-Bacon Act (40 U. S. C., 276 (a)) requires that all contracts in excess of \$2,000 for construction of Federal public works or buildings include the condition that wages must be paid laborers and mechanics at rates not less than those paid workers on similar

projects in the city, town, village, or other civil subdivision of the State where the work is performed. The Secretary of Labor determines what the prevailing wage is in the locality.

The determination is made by the Secretary before the bids for contracts are advertised. The boundaries of the area and the methods for determining prevailing rates are decided by him. There is no appeal from his decision. Currently, about 20,000 separate decisions predetermining the prevailing wage rates are issued by the Department of Labor each year.

If the contractor pays mechanics and laborers less than the minimum prevailing wage determined by the Secretary, payment may be withheld to make up the difference and the Government may cancel the contract. Contractors who do not fulfill the prevailing wage requirement are prohibited from receiving Government contracts for 3 years thereafter.

#### BACKGROUND

In the late 1920's some contractors obtained contracts for Federal construction projects by bidding low and then organizing construction crews in low-wage areas, transporting them to the site of the project, and housing them in camps. Competition for low-wage labor caused strikes and work stoppages, shut out contractors willing to pay local wage rates, damaged the wage structure of local craftsmen, and disrupted local economies. To protect communities from such practices, a Republican-controlled Congress in 1931 enacted the Davis-Bacon Act requiring the payment of prevailing local wages on Federal hospital construction projects. The law was written by Senator James J. Davis, Republican, of Pennsylvania (1930-45) and Representative Robert L. Bacon, Republican, of New York (1923-38), in whose district a veterans' hospital had been constructed by a contractor who imported cheap labor. No rollcall vote was taken on passage of the act, so party lineups are not recorded.

During the early depression years, Congress authorized greatly expanded Government public-works programs. In 1935 a Democratic-controlled Congress amended the Davis-Bacon Act to make it apply to all direct Federal construction, not only hospitals.

Following enactment of the basic law applying to Federal construction, Congress began including a Davis-Bacon provision in laws authorizing Federal aid to non-Federal construction programs for hospitals, housing, airports, and schools in federally affected areas.

Existing laws containing a Davis-Bacon provision include the Federal Airport Act of 1946, the School Survey and Construction Act of 1950, the Hospital Survey and Construction Act of 1946, low-rent public housing under the National Housing Acts of 1937 and 1949, as amended, Defense Housing and Community Facilities and Services Act of 1951, slum-clearance and urban-renewal program in the Housing Act of 1954, and the Lease Purchase Contracts Act of 1954.

#### DAVIS-BACON AND HIGHWAYS

The basic Davis-Bacon law applies to Federal construction of forest roads, trails and parkways on Federal land. It never has been applied to programs providing Federal aid for highways constructed by the States. In 1955 after President Eisenhower proposed a \$101 billion Federal-aid-to-highways program, the Senate reported a bill (S. 1048) calling for a 5-year highway-aid program and requiring that laborers and mechanics on the Interstate Road System be paid in accordance with the Davis-Bacon Act.

The Davis-Bacon provision was deleted from S. 1048 by the Senate, May 25, by adoption, on a standing vote, of an amendment offered by Senator DENNIS CHAVEZ, Democrat, of New Mexico. The House then re-

ported a bill (H. R. 7474) providing a 13-year highway-aid program and including a Davis-Bacon provision. Representative GEORGE A. DONDERO offered a substitute to H. R. 7474 without a Davis-Bacon provision. The House accepted by voice vote an amendment by Representative RUSSELL V. MACK, Republican, of Washington, to include a Davis-Bacon clause in the substitute. The DONDERO substitute was then rejected by the House and an amendment by Representative BRUCE ALGER, Republican, of Texas, to delete the Davis-Bacon provision from H. R. 7474 was rejected by voice vote. The House subsequently rejected H. R. 7474 and the question of an expanded highway program and the issue of Davis-Bacon were deferred until 1956. (1955 Almanac, p. 441.)

On April 21, 1956, the House Public Works Committee reported a bill (H. R. 10660—H. Rept. 2022) authorizing a 13-year highway program and providing \$28.8 billion in Federal funds for construction of the Interstate Highway System by the 48 States. The bill included a provision requiring that all laborers and mechanics employed on the initial construction work be paid wages comparable to those on similar construction in the immediate locality, as determined in accordance with the Davis-Bacon Act.

The House passed H. R. 10660, April 27, after rejecting on a division vote, 77 to 192, an amendment by DONDERO to permit States instead of the Secretary of Labor to determine the prevailing wages for highway workers (Weekly Report, p. 510).

The Senate Public Works Committee, May 10, reported H. R. 10660 (S. Rept. 1965), amended, and deleted the Davis-Bacon provision from the House-passed bill. Senator THOMAS H. KUCHEL, Republican, of California, May 11, said he would offer an amendment on the Senate floor to put the Davis-Bacon clause back in the bill (Weekly Report, p. 539).

If KUCHEL's amendment is defeated and the Senate passes H. R. 10660 without a Davis-Bacon provision, the sixth and final battle over the issue probably will be fought in a conference committee to compromise differences between the Senate and House bills.

After the dispute is settled over including Davis-Bacon in the highway construction bill, it is expected to arise again should legislation to authorize Federal aid for the construction of schools be brought before Congress.

#### PRO AND CON

The fight over including a Davis-Bacon clause in the proposed highway program involves these issues:

Opponents, who want the prevailing wage question left up to the States, say—

A Davis-Bacon clause in the highway program would invade States rights, and would be the first time in history that a Federal wage fixing provision had been imposed on highway contracts awarded by the States. The States are better able to know local conditions and make accurate determinations of the local prevailing wage scales.

A Davis-Bacon provision would increase the cost of the highway program by as much as 15 percent. In the past, Davis-Bacon has been misapplied by Secretaries of Labor who determined metropolitan wage rates on rural projects, increasing the cost of the project and disrupting the local wage structure. When the prevailing wage rate has not been clearly established in some areas, the tendency of the Labor Department is to import a higher wage rate from the nearest large community.

Federal wage fixing on the highway program would be a serious interference with the right of management to work out agreements with labor through collective bargaining. The highway bill would become a vehicle for promoting union warfare and union organizational drives on the unorgan-

ized areas of the country, particularly the South and West.

A Federal wage fixing clause would increase Federal regulation and red tape and would result in unnecessary costs and delay on the highway program.

Federal-wage fixing would not be necessary to protect highway workers because they are now being paid wages higher than those paid the average factory worker.

A Davis-Bacon provision applying to the Interstate Highway System would set a precedent for extending the law to cover all highway construction, and would indirectly result in increased wages for all types of road building by States and local communities.

Proponents who want the Secretary of Labor to determine the prevailing local wages say:

"Many States have neither the facilities, staff, budget nor experience to determine prevailing wages. A Davis-Bacon provision would protect States and responsible contractors from unscrupulous firms that might damage local economies by importing cheap labor into a high-wage area. An expanded highway program will accelerate highway construction and intensify competition, and the Federal Government, which is supplying 90 percent of funds, has the responsibility of seeing that workers, contractors, local communities and States are given the equal protection of the prevailing wage principle.

Davis-Bacon would not increase the cost of the highway program because the Secretary of Labor would be required by law to determine the prevailing wages being paid to local craftsmen on highway construction in the immediate locality of the project. Lower costs could be achieved only by importing workers at less than the prevailing rate. The machinery for determining wage rates in the Department of Labor is supported by 25 years of experience. Hundreds of thousands of determinations have been issued with only a handful of protests.

A Davis-Bacon clause would encourage collective bargaining and would prevent a breakdown of existing wage scales privately negotiated between contractors and construction craft unions. There have been no strikes in the 25-year history of veterans' hospitals constructed under Davis-Bacon provisions. The men who would get the primary benefits under Davis-Bacon are unorganized nonunion highway construction workers.

Centralized enforcement of the prevailing wage principle on highway construction will help stabilize the national economy. The gigantic size of the proposed roads program magnifies the need for the Federal Government to guarantee that communities affected be assured a fair division of employment, bidding opportunities and purchasing power.

#### SUPPORT, OPPOSITION

Party alignments in Congress have not been clearly established on the issue of including Davis-Bacon in the highway program. None of the four votes taken on the question during the 84th Congress have been rollcalls. If the Senate takes a rollcall vote on the Kuchel amendment to H. R. 10660, party and regional positions will be recorded officially for the first time. Statements made during past debate on the issue indicate that it cuts across party lines.

C. D. CURTIS, head of the Commerce Department's Bureau of Public Roads, February 7, testified before the House Public Works Committee that the Bureau was opposed to inclusion of Davis-Bacon provisions in the proposed highway bill. "We feel that it is a matter that should be left up to the States." The Department of Labor has not taken a public position on the issue.

MR. KUCHEL. Mr. President, there is a similar prevailing wage law in the

State of California, which has been in effect for a very long time. As I indicated here, there has been a prevailing wage law on the Federal books for a long time, operating on all but small Federal contracts for construction, alterations, and/or repairs, including painting and decorating of public buildings or public works of the Government of the United States.

There is no reason, Mr. President, why the provisions of this statute should not apply to the huge public construction of highways contemplated in the measure which is now before us. Indeed, it is all the other way around. There is every reason for the Congress to adopt the provisions of the prevailing wage law in its consideration of this measure for interstate highway construction where the Federal Government will pay almost all the costs.

Earlier today I suggested that the Clay Commission urge this Congress to adopt a law providing for Federal construction of a 40,000-mile Interstate Highway System in America for four reasons: military defense, civil defense, economic needs, and the social aspects of the problem.

I wish to suggest that there may be a fifth reason. The possible expenditure over the next 13 years of \$25 billion of Federal public money to do a job, or 90 percent of a job, all in the public interest, will have a tremendous impact upon the economy of America, in every section of the Nation, where contracts for interstate highway construction are negotiated and carried forward to completion.

To that extent I think it would be a shame, Mr. President, if we failed to provide that in each area of this Nation where a contract for an Interstate Highway is let, there should be the protection of the prevailing wage law. That means, in my State, Mr. President, that our local working people would be given the statutory assurance by the Congress that, in working on a public construction job, they would have the same level of income or salary which they would have if they were working in similar enterprises in that locality. It also means that the local contractor who had local people working for him would not be subject to the hazard that some contractor from another part of the country might underbid him on the basis that he could import cheap labor into that area and could underbid the local contractor, and depress the local economy.

So I think there is a good fifth reason for the adoption of this interstate measure to provide that with the expenditure of \$25 billion of Federal money for highway construction across this country, jobs for Americans working on the project will receive the protection of the prevailing wage provisions of this Federal statute.

I make these comments, Mr. President, because this morning, when the proposed amendment was offered, there were some Senators who asked for a justification of the provision, and I have endeavored fairly to give it to them. I have given them the arguments which those who opposed it have made, as well as the arguments of those of use who support it. I have done it because, in my judgment,

any reasonable man, as he reads the RECORD, which will be before the Senate tomorrow, will have very little difficulty—indeed, he will have no difficulty at all, in my judgment—in making up his mind that the amendment before us is one which should be adopted in the public interest.

One more comment, Mr. President, and I shall be through. While the Senate did fail to approve the Davis-Bacon provisions last year, I am glad to say, Mr. President, that the House included the provisions of that law in the bill which is before us. Tomorrow the Senate will have an opportunity to redeem itself from the error which it committed a year ago. I am sure that on tomorrow's rollcall, we shall be able to have a majority of the Members of the Senate rectify the error of last year and make the Davis-Bacon Act a part of the interstate highways legislation of 1956.

MR. LEHMAN. Mr. President, in the first place I wish to compliment the members of the committee, especially the chairman of the committee and the chairman of the subcommittee, together with the other members, both Democratic and Republican, on the splendid piece of work which they have completed in reporting the bill to the Senate. It shows a tremendous amount of industry and a devotion to duty. On the whole, I think it will make a very great contribution to the welfare of our country.

Mr. President, I have given careful consideration to the pending bill, the proposed Federal Highway Act of 1956. I have reviewed not only the provisions of the bill as reported by the Senate committees, but I have also given attention to the provisions of the bill as it passed the House of Representatives.

I must say, from the viewpoint of New York State, that the House version of this bill seems much preferable to the Senate version in a number of major respects. However, there is at least one provision of the Senate bill which seems to have greater merit than the equivalent provision in the House version. I refer to the formula under which apportionments of Federal funds are made to the States for highways. The Senate version, while far from perfect, seems definitely superior, and I hope it will be retained in the final bill as submitted to the President. It is considerably better for New York State and other large and populous States.

The Senate bill provides for retaining the present factors governing the apportionment of Federal funds for highway construction. Those methods are two-thirds according to relative populations, one-sixth according to relative areas, and one-sixth according to relative existing road mileage. These are the factors employed under existing law.

Of course, Mr. President, the existing formula can be improved upon. The objectives sought to be attained by the computation methods proposed in the House version of this bill are most laudatory. What disturbs me are the cost figures actually used for the first 2 years in the House bill. These figures, which would be the basis of the apportionment in the first 2 years, were gathered in an

adventitious manner. They are by no means an accurate reflection of actual cost data.

I quote the comment on this point contained in the supplemental views in the Senate committee's report:

Although the formula for apportionment of funds to the States under the Gore bill is far from perfect, the method in the House bill is monstrously unfair and discriminatory. Furthermore, its inequalities are frozen for 2 years with the hope but by no means the certainly of subsequent correction.

These sentiments are echoed in a communication which I have received from the Department of Public Works of the State of New York. That department states:

These estimates of cost in this table are not correct and some method of adjusting them is most necessary if the table is used.

It would be better, I believe, Mr. President, to continue the present formula for the initial period of the program, as the Senate bill does, and to institute immediately an objective study of costs and needs on which a more down-to-earth formula can be based.

With the exception of this one point relating to the apportionment of Federal funds, Mr. President, I prefer, as I have already said, many of the provisions of the House bill. My preference is based on the fact that the Senate version works a number of insupportable injustices on New York State. It is my feeling that if the Senate version is enacted into law without amendment great harm and ill feeling will result.

First, there is the absence of any provision with respect to reimbursement for certain highways completed subsequent to August 2, 1947, or in actual use or under contract for completion by June 30, 1957—the so-called highway credit provision.

The omission of any provision on this point is a severe penalty upon those States which had the foresight and the initiative to construct highways which will now become part of the Interstate Highway System. Why are these States now to be penalized? If we do not put a premium upon foresightedness, let us not, at least, place a penalty upon it.

This matter was very lengthily considered by the House Committee on Public Works and in its report it stated:

Some States have already constructed, to the required standards, toll or free highways which have been or may be selected for the final location of the Interstate System, and other States are proceeding along similar lines. It is the committee's view that those States which have provided a toll or free highway which is selected for the final location of the Interstate System and which meets the standards required for such system should, as a matter of equity, be reimbursed for such construction after making appropriate deductions for depreciation and other items.

Mr. President, I stress the words used by this committee. It is a matter of equity to these States. The millions of dollars which they invested in good highways which will now become part of the Interstate System could have been saved had they been content to sit back and wait for this new and enlarged Federal highway program.

In a letter submitted to the House Committee on Public Works, the Honorable Averell Harriman, Governor of the State of New York, put the case for the inclusion in this bill of a highway credit when he stated:

At this time, I should like to emphasize once more the need for a form of credit to go to those States which like New York have already constructed many miles of their interstate systems to exacting and costly Federal standards. New York State has, in the last few years, constructed 557½ miles out of a total interstate allowance of 1,216½ miles. This means that the number of miles eligible for this type of aid is reduced to only 659 miles. An increase in Federal participation from 60 to 90 percent would deprive our State of many millions of dollars in Federal aid. It would serve to penalize all of those States which have moved ahead in construction of their interstate systems.

What the Governor of New York says about my State is, of course, true with respect to many other States which have, in the past few years, forged ahead in the construction of highways which are a part of the Interstate System. And, Mr. President, the allowance of this credit to these States will not represent a windfall for them. For it must be remembered that these highways are up to standard, are part of the interstate allowance for highways, and were constructed with State funds, or borrowed funds.

It is for these reasons that I am in favor of a highway credit provision.

Section 109 of the House version of the bill contained a declaration of policy with respect to reimbursement for interstate highways already constructed. While I believe that such a provision is a step in the right direction, I do not believe that it goes far enough. In my opinion, there should be a provision in this bill which would establish a definite commitment to reimburse for these highways. Accordingly, I have offered an amendment which would, under certain circumstances and with certain safeguards, provide such a definite commitment on the part of the Federal Government to reimburse those States which have moved ahead in the construction of highways which fit into the Interstate System.

The second serious omission from the Senate version of this bill is a provision similar to section 116 of the House version which would permit the approval, as part of the Interstate System, of any toll road, bridge, or tunnel which meets standards and which forms a logical segment of the Interstate System. In the consideration of such a provision it is important to recognize that the House version would not permit the expenditure of any Federal funds on toll roads, bridges, or tunnels. The provision relates only to their approval as part of the Interstate System.

In a letter dated April 14, 1955, the Secretary of Commerce transmitted to the Speaker of the House a report prepared by the United States Commissioner of Public Roads dealing with the "progress and feasibility of toll roads and their relation to the Federal-aid program," House Document No. 139. The cogent reasons for the inclusion in this bill of a provision relating to toll roads,

bridges, and tunnels such as was contained in the House version are stated in that report in the following language:

The present law should be changed to permit the inclusion of toll roads as part of the National System of Interstate Highways when they meet the standards for that system, and when there are reasonably satisfactory alternate free roads on the Federal-aid primary and secondary systems which permit traffic to bypass the toll road.

This recommendation is made to meet present-day conditions. A number of toll roads which are in operation, under construction, or authorized, lie along the preferred location of interstate routes; duplication of these roads would generally be an economic waste. Accordingly, if there is to be a continuous integrated Interstate System, it is reasonable that these toll roads be included in it. The inclusion of a toll road in the Interstate System would not be contrary to recommendation 1 (no Federal participation in the cost of toll roads). It would merely make unnecessary to construct a free road to interstate standards closely paralleling the toll road.

It is not a question, Mr. President, of asking for Federal funds to pay for these toll roads, bridges, and tunnels. That is not an issue. The point is to include in the bill authority for the Secretary of Commerce to approve toll roads, bridges, and tunnels, built or to be built at State expense, as part of the Interstate System. Subsections (B) and (C) of section 116 of the House version of the bill, authorizing Federal funds to be used for approaches to toll roads, bridges, and tunnels is but logical. For it seems to me that Federal funds should be available for approaches to bridges, roads, and tunnels if they are declared part of the Interstate System, irrespective of whether the bridges, roads, and tunnels they serve are toll or are free.

Accordingly, Mr. President, I shall offer an amendment to the Senate version of the bill now before us to restore the provisions of section 116 of the House version of this bill.

The third serious omission from the Senate version is a provision requiring the payment of the prevailing wage on construction work performed on highway projects on the Interstate System authorized by the bill. This is the so-called Davis-Bacon Act proviso.

Before inserting section 112—the Davis-Bacon Act provision—in its version of the bill, the House Committee on Public Works heard at length from both the proponents and the opponents of such a provision. A majority of that committee came to the conclusion that the inclusion of such a requirement was wise, justified, and equitable in the interests of preventing workers employed on this program from being exploited. This is what the majority of the House committee said, in part:

Since by far the greatest part of the Interstate System \* \* \* will be financed by Federal funds, the committee feels that labor standards normally applicable to Federal construction should also apply to this great arterial system. Such action only has the effect of substantially preserving and affirming rather than extending the long-standing policies of the Congress in matters of Federal expenditure and procurement. \* \* \* The Davis-Bacon Act now applies to all direct Federal construction as well as to contracts for school, hospital, housing, and airport

projects constructed with Federal-aid funds. Federal prevailing wage requirements apply presently to highway construction where the Government is the contracting party. A majority of the committee feels that where the Federal Government absorbs 90 percent of the cost, as it does under the provisions of this bill with regard to the Interstate System Federal prevailing wage requirements should also apply. A difference of 10 percent should not distinguish the situation. This is especially true in light of the fact that the Federal contribution is much less percentage-wise on the other federally assisted programs where federally prevailing wage requirements apply.

Mr. President, it is proposed, under both versions of the highway bills, to spend in the course of the next several years many billions of dollars. The impact upon the highway construction industry of the expenditure of these huge sums of money will be tremendous. We must make certain that the impact upon the wages paid to the workers on these projects is not disastrous. And we can do it by incorporating in this bill the prevailing wage formula of the Davis-Bacon Act.

As the House report pointed out, we are not attempting or proposing anything new when we incorporate such a provision in a Federal-State grant-in-aid program.

Consider, for example, the Hospital Survey and Construction Act, the so-called Hill-Burton Act. That, too, is a Federal grant-in-aid program. The Hill-Burton Act, which operates much as the pending act does, contains a prevailing wage proviso tied to the Davis-Bacon Act.

No, Mr. President, we are not setting any precedent by including a Davis-Bacon provision in this bill. Indeed, if we do not adopt such a proviso we shall be going against precedent. And if we do not do so we shall be risking the welfare of thousands and thousands of construction workers who could be employed on this program at depressed wages, 90 percent of which represent Federal dollars.

Mr. President, a Davis-Bacon proviso is an absolute must in this bill.

My fourth point, Mr. President, relates to the provision in the Senate committee bill with respect to payments for utility relocation.

In the House version section 113 authorized the use of Federal funds to reimburse the States for the pro rata share of the cost of relocating utilities when the costs had been paid by the State. But the House version contained the safeguard that Federal funds could not be so used when "the payment to the utility violates the law of the State or violates a legal contract between the utility and the State."

The Senate version of this provision has an entirely different effect. The Senate version cuts across State laws and existing contracts between the State and the utility companies. The Senate version states that Federal funds can be used to pay up to 50 percent of the cost of utility relocations when "the entire relocation cost is required to be borne by the utility." Now under many existing State laws and contracts, including in my own State, utilities are permitted to utilize the

public right-of-way without cost to them, but on the condition that they will bear the cost of relocation if such relocation became necessary in the future.

The Senate version of the utility relocation provision goes still further. It gives the utilities a right to payment out of the Federal Treasury of up to 50 percent of the cost of relocating their utility facilities. Here are the exact words of subsection (E) of section 110:

Any utility required to relocate a facility within the terms of this section shall have a right to payment out of Federal funds.

No longer is the provision discretionary or limited by State law or existing contracts.

True, subsection (D) states that "no more than 2 percent of any sum appropriated to any States for any fiscal year may be expended" for these purposes, and subsection (A), as I have stated, limits the amount of reimbursement to 50 percent of the cost. But within these broad limits, section 110 represents practically a blank check given to the utility companies and drawn upon the Treasury of the United States, despite contract terms with the State which contemplated no such gratuity.

The Governor of my State, the Honorable W. Averell Harriman, very correctly points out that this mandatory provision "would work serious inequity in New York State where by established tradition utility companies are not charged for the use of State rights-of-way and correspondingly are not compensated for relocation costs when they occur."

Accordingly, Mr. President, I shall move to substitute for section 110 the utility relocation provisions contained in section 113 of the House bill, with the added limitation on the total amount available in 1 fiscal year, as contained in section 110 (D), of 2 percent of the amount apportioned.

Mr. President, there is a further omission from the Senate version of this bill that will have very serious repercussions on urban highway construction.

I refer, Mr. President, to the fact that in the Senate committee bill, the definition of the term "construction" does not include the cost of relocating tenants who are displaced by highway projects. This is a vital provision as far as New York City is concerned—and many other cities, too, I am sure.

Mr. President, we are about to launch an expanded program of modern interstate highways. The very purpose of the program is to provide safe, speedy means of transportation between our urban areas, benefiting, at the same time, rural areas through which these highways will pass. To facilitate the traffic movements through our cities, tenants must be moved and relocated to avoid circuitous, time-consuming alternate routes. This is properly a part of the cost of constructing the highway. And the Federal funds made available under the pending program should be made available for this part of the cost of highway construction.

Mr. President, at an appropriate time, I shall move to amend the Senate version of this bill to include in the definition of construction costs the costs of

tenant relocation, as does the equivalent House provision.

Mr. President, I shall refer to one further provision in the pending bill, one that was inserted in the Senate version and which does not appear in the House version.

Subsection (D) of section 112 requires State highway departments submitting plans for highway projects involving the bypassing of any city, town, village, or any other community to certify that in the case of each such city, town, or village which is proposed to be bypassed, a public hearing has been held in each such instance to consider the economic effects of each such bypassing. The State Highway Department must submit to the Commissioner of Roads a transcript of each of such hearings.

It is my opinion, Mr. President, that this provision is not only unnecessary, but would unduly delay and hinder the total highway program. Basically, in many areas, the Interstate System is a bypass system, with limited access to achieve speed and safety. To require a public hearing for each instance of bypassing would be very time-consuming, indeed.

The governor of my State is opposed to this provision. In deference to the officially expressed views of New York State, I shall, at the appropriate time, move to delete that subsection.

Now, Mr. President, I do not wish my remarks criticizing various provisions of the pending bill to be misinterpreted as being indicative of a general opposition to the Federal highway proposal. Quite the opposite is the case.

I wish to make it perfectly clear that I am in favor of the general objectives of this bill. I think the country needs such a program, not alone from the standpoint of our defense, but also to facilitate trade, commerce, and communications between the various parts of the country.

My comments have been aimed at specific provisions of both versions of the bill, and my amendments are designed to assure that the bill passed by the Senate will be fair and equitable, and will assure the best possible interstate highway program.

Mr. President, I yield the floor.

Mr. BIBLE. Mr. President, this evening I wish to address the Senate for a few moments concerning the pending bill.

In 1944, when the prospects of peace directed attention to the need for post-war planning, the highway engineers of the Nation advocated a road program commensurate with our needs. As a former member of my State's highway board, I am aware that in that year their spokesmen appeared before Congress and advocated an annual Federal-aid program totaling \$1 billion. In extensive testimony, graphs and charts were presented to demonstrate that by 1960 we would have 60 million vehicles on our highways. Last year, 61 million motor vehicles were registered in this country. There may be 75 million by 1960.

Instead of the \$1 billion program advocated by the highway engineers in

1944, Congress actually authorized \$500 million. In 1952 the annual authorization was increased to \$575 million, and again in 1954 to \$875 million.

Faced with the unprecedented growth in motor vehicles, the obvious necessity for an adequate system of defense roads, and, at long last, the realization that the ability of the country to expand its economy is tied directly to its ability to consume transportation, Congress has had to come to grips with the highway program on a realistic basis. As a result, to overcome the gap in highway construction caused by at least 1 depression, 2 wars, and 10 years of procrastination, we are now about to embark on what has been called the greatest public-works program in history.

This year, under even the most modest of the plans under consideration, we propose to make available on July 1 nearly two billion dollars of Federal funds for highway construction. That is roughly equivalent to the total amount we have provided over the past 3 years. In other words, some 30 days from now we are going to ask our State highway departments to triple their output of the past 3 years, and to more than double last year's output.

Few manufacturers in this country could expand their plants and increase their personnel to accommodate such a production increase. Neither can many of our State highway departments. For some, it means the construction of additional buildings to house the engineering help needed. Mine is such a State. Every State must increase its engineering staff, and in most cases this means training the men directly. Engineers are in short supply in this country. Last year, a representative of the American Society of Civil Engineers testified before the Senate Public Works Committee that there was then a shortage of 4,000 highway engineers and no immediate prospect for improvement in the situation.

The converting of the new Federal authorizations into roads will present a tremendous challenge to our States and their highway departments. If we are to achieve the results desired—the construction of the most comprehensive system of superhighways ever conceived, plus the continued development of the other primary and rural roads needed to complement that system and to carry the traffic to and from it—then we must make sure that our planning is in line with the ability of the States to meet that challenge.

It is on this particular problem that I address the Senate now.

Let me say, first, that my concern over the new highway program does not stem from any misconceptions concerning the manner in which funds for the new Interstate System are to be made available. That system, when finished, will be a complete project; and when the last ribbon is cut, the job will be over, and we can then take a new look at the job ahead. So, no matter how the funds are provided to the States, either on the basis of needs or on the basis of some annual formula, each State will eventually get the funds to complete its particular sections—no more and no less. This being the case, each individual

State can gear its activities on the Interstate System to its own capabilities without fear of losing its share of the funds its citizens are contributing. If any State cannot use its allocation of interstate funds this year, they will still be there the next, and the next after that, until the job is finished. The concern of Congress over this matter is thus confined to one point: We must be sure that each State can and will make reasonable progress on modernizing the Interstate System, to the end that the entire project is completed on schedule. To do otherwise would be to ignore our responsibilities toward the national welfare.

It is with respect to carrying on the regular Federal-aid program for other important intercity highways and rural roads that my concern arises. This concern also relates directly to my previous comments about the need for assuring that progress on the Interstate System goes forward.

Unless we provide for a balanced program for both the Interstate System and the regular Federal-aid program, we run two risks: First, States with limited manpower and financial resources will concentrate on utilizing their regular Federal-aid funds, for fear of having them lapse; and critical deficiencies in the vital Interstate System will not be eliminated. Second, the greatly increased need for administrative help, maintenance funds, and matching money, all of which must be borne by the States, could force, in some of them, large local tax increases on top of the substantial Federal increases this Congress will impose; or, failing to provide these new funds, such States will be forced to forego sharing in some of the benefits the new program seeks to achieve, and for which their citizens are being taxed.

To understand this second problem, it is essential to know that, unlike the Interstate System, wherein we have a fixed, one-time job, confined to a specific net of highways, with an assurance that the funds will be available to complete it, regular Federal-aid funds are made available to the States on a basis which permits rather broad latitude in the selection of the roads and the extent of the system to which they are applied. Furthermore, it has been the traditional policy of Congress—and both the present House version and the Senate committee version of the road bill contain the same provision—that unless these regular Federal-aid funds are programed by a State within 2 years of the end of the fiscal year in which they become available, they are lost to that State for all time.

As the highway bill (H. R. 10660) was passed by the House, it sought to recognize the limitations of the various States to undertake the tremendous job we are placing in their hands. Beginning with the present level of regular Federal highway aid, \$700 million annually, the House provided an increase of \$25 million for the coming year, and an additional \$25 million for the next. Then the House declared the intent of Congress to continue these yearly increases at not

less than \$25 million a year, for the balance of the 13-year period during which the Interstate System would be under construction. Thus, on the 13th year, the annual authorization for regular Federal aid would be \$1,025,000, reaching this peak as the expenditures for the Interstate System are tapering off.

There were several purposes which motivated the House approach: First, the gradual increase, plus the declaration of intent, permitted orderly long-range planning on the part of highway departments and contractors; second, the coordinating of the maximum effort on the regular Federal-aid program with the tapering off of the Interstate System, to avoid any sudden dislocations among highway and contracting personnel; and, third, and possibly most important, a realization of the practical limitations the States would face in getting the job underway.

The Senate Public Works Committee, on the other hand, has amended the House version of the bill in such a way as to make \$900 million of regular Federal-aid funds available for each of the next 5 years, an immediate annual increase of \$200 million, on top of which is the authorization of over \$1 billion for the Interstate System.

It is my studied belief that many of the States will be unable to provide the necessary engineering potential to carry on the increased construction of regular Federal-aid roads necessary under the Senate committee's amendment to H. R. 10660, and at the same time accomplish any reasonable progress on the Interstate System. Lacking the potential to do both jobs simultaneously, such States must, of necessity, protect their local interests by concentrating their attention on utilizing the regular Federal aid. As a result, progress on the Interstate System will lag.

Just how well-equipped are the States to assimilate a 30-percent increase in regular Federal aid and still carry on the interstate program?

Under the terms of the 1954 Federal Aid Highway Act, Congress provided an increase in Federal aid of \$300 million for the 1955-56 fiscal year, bringing the annual total to \$875 million. These increased funds became available last July 1.

On July 14, 1955, the Bureau of Public Roads published a table showing that, as of June 30, 1955, the States had a total of \$956 million of authorized funds that had not actually been placed under contract.

The latest report on the status of Federal highway aid shows the condition at the end of March 1956. As of then, the available Federal funds not under contract amounted to \$1,228,861,000 an increase of \$272,904,000 over the June 30, 1955, figure. In other words, during the 9-month period since the \$300 million of increased Federal aid became available, only \$27 million of it is reflected in increased construction projects underway.

What is going to happen next year if we add another \$200 million of regular Federal aid, plus over a billion dollars of interstate funds?

With further reference to the tables mentioned above, they show that only 11

States were able to utilize fully their share of the \$300 million increase. The other 37 showed increases in the balance not committed to actual construction.

A comparison of the tables mentioned above is as follows:

	June 30, 1955	Mar. 31, 1956
Unprogramed balances.....	\$377,968,000	\$567,137,000
Programed only.....	400,623,000	407,350,000
Plans approved, construction not started.....	177,366,000	254,374,000
Total.....	955,957,000	1,228,861,000

Let me now discuss the ability of the States to match the additional regular Federal-aid funds under the Fallon and Gore bills. Last year a questionnaire circulated by the American Association of State Highway officials revealed that 25 of the States could not match the funds which would have become available under the bill as it was then before the Senate Public Works Committee. Subsequent amendments to that measure, prior to passage by the Senate of the act in its present form, have probably reduced the number somewhat; but there is no doubt that many States will be faced with financial difficulties if we hold to the terms of the Senate bill. Let me read some typical excerpts from letters and telegrams sent last year to the Senator from Tennessee [Mr. GORE].

Gov. Edmund S. Muskie, of Maine, in a letter dated March 28, 1955, said:

Maine has found it difficult to match Federal funds now available. In order to do so, the State gasoline tax was increased to 6 cents in 1947 and in 1951 a substantial bond issue was authorized. The proceeds of this bond issue will be used up on July 1, 1957, and thereafter we will again have a problem of matching Federal funds even if the Federal program is not increased above the present level. The legislature is now considering another increase in the gasoline tax and another bond issue for this purpose. In the light of these difficulties, if Federal matching funds are increased to the level recommended in your proposal, there is considerable doubt that we could find the necessary State funds.

Gov. J. Hugo Aronson, of Montana, had this to say in a telegram dated March 22, 1955:

Montana State Highway revenues derived substantially from 7 cent gasoline tax, 9 cent diesel-fuel tax and gross-vehicle-weight tax on trucks, after necessary deductions for administration and maintenance cost leave but \$9,500,000 approximately for the matching of Federal aid. This is barely sufficient to match the allocations to this State under the provisions of the 1954 Federal Aid Highway Act. There is no prospect of any increase being favorably considered here which would provide additional State or other local revenues for Federal aid highway construction above the State revenues now being received. Consequently, Montana is definitely opposed to any change in the Federal Aid Highway Act which would call for an increase in State matching funds. We favor continuation of the 1954 Federal Highway Act appropriations and matching ratios for the primary highway system other than the Interstate System, and for the secondary and urban systems.

Mr. Newman E. Argraves, State highway commissioner of Connecticut, in a

letter dated March 9, 1955, had this to say:

Connecticut favors an expanded program of federally financed interstate highway construction which makes available to the State the largest possible Federal grant obtainable within the ability of the State to furnish its share of matching funds without the necessity of reducing its program of other highway improvements or increasing current taxes. It is also desirable that the Federal Government continue the Federal-aid program, other than that for the Interstate System, substantially as constituted under the Federal Aid Highway Act of 1954.

Gov. Raymond Gary, of Oklahoma, in a telegram dated March 9, 1955, said this:

Oklahoma favors accelerated program within State's ability to participate. Doubt if State's funds available could be materially increased.

I think it is worth recording that, even on the Interstate System, where under the Senate approach Nevada would appear to get an overly generous share of the funds, my constituents have been solidly in favor of a program that would see every State get its share of the money needed to complete the job, but that and no more. As a consequence, they have favored the House approach to the allocation of funds for that system.

Our State highway engineer states Nevada's position as follows:

DEPARTMENT OF HIGHWAYS,  
Carson City, Nev., May 8, 1956.

HON. ALAN BEELE,  
United States Senate,  
Washington, D. C.

DEAR ALAN: We appreciate your letter of May 2, 1956, acknowledging our telegram pertaining to the new Federal highway legislation.

We were certainly delighted over the nearly unanimous action of the Members of Congress in passing H. R. 10660. This action, we believe, indicated strong confidence in the highway departments and the Bureau of Public Roads.

We very carefully reviewed the bill, and while there was some language not particularly advantageous to the State such as the Davis-Bacon labor provisions and reimbursement of public utilities, we strongly endorse approval of this bill by the Senate and hope that if any changes are made they will be very minor. The financial setup, together with the method of apportionment, will permit Nevada to progress with its highway program in a most efficient and economical manner. We are expressly opposed to the method of apportioning the interstate funds as provided in the Gore bill as it is our belief that under those provisions the Interstate System could not be completed in an orderly manner, permitting all States to complete these highways within each State at approximately the same date.

Kindest personal regards.

Sincerely,

H. D. MILLS,  
State Highway Engineer.

Concerning the regular Federal-aid funds, however, they have appealed to me to endeavor to secure Senate approval of the gradual annual increases advocated by the House. In support of this position they point out, and I think with substantial justification, that the State of Nevada has so far managed to hold up its end of the Nation's highway-building program with commendable success. In taking this position, they acknowledge that this would not have

been possible were it not for the Federal-aid grants, and a matching formula which takes into consideration the vast acreage of nontaxable public lands.

At the same time, however, the people of Nevada point out that ours is one of the few States in this country that has never diverted 1 cent of its motor-vehicle taxes and fees to uses other than highway construction. Nevada was one of the first States to pass a constitutional amendment earmarking road-user taxes solely for the construction of highways, a philosophy advocated by this Congress through the Hayden-Cartwright Act in 1934, but unfortunately never followed at the national level.

Nevada's citizens have never failed to provide the necessary local money to match their Federal aid and to carry on the administrative work, the policing, and the maintenance, all of which is the sole responsibility of the State. As a consequence, there are no gaps in the transcontinental routes one must travel across our State. As a matter of fact, I believe there are few places where one will find equally modern highways.

Last year, to match the additional Federal aid provided under the 1954 act, our taxpaying road users toured the State in support of a voluntary tax increase to raise the money. Passed at our last regular legislative session without a dissenting vote, those new taxes became effective last July.

Our road users have given their full support to the present move for an expanded national program, and they have supported the tax increases necessary at Federal level to get the job under way. What they ask now is that they be given an equal chance to share in the new program without a third round of tax increases. They believe that will be possible if we will follow the pattern set by the House for the authorization of regular Federal aid. Their arguments follow exactly those of Senator MAGNUSON in his letter of May 17, which some Senators have received. Let me summarize the problem by quoting from that letter as follows:

The House would assure continuation of the local road program for the same 13-year period established for the Interstate System. Beginning with the current authorization of \$700 million for primary, secondary, and urban roads, they propose an additional annual increase of \$25 million for each of the 13 years. Thus, next year the authorization would be \$725 million. For the 13th year it would be \$1,025,000,000.

The Senate would jump the annual authorization for primary, secondary, and urban roads from seven hundred to nine hundred million dollars next year and would continue this same annual grant over a 5-year period. The Senate makes no provision for continuing the local road program beyond the fifth year. Should the Senate extend the same \$900 million authorization for another 8 years to complete the 13-year program to which the House financing plan is geared, the aggregate amounts by the House and Senate would not be significantly different, 11.375 billion as compared to 11.700 billion.

Neither bill contemplates any change in the traditional formula for allocating funds to the States nor in State matching requirements.

I quite agree with the Senator from Washington [Mr. MAGNUSON] that some

States, such as Nevada, will not have sufficient local funds during the next few years to match the primary, secondary, and urban funds provided in the Senate bill due to the abrupt increase of nearly 30 percent. Such States can, however, match the funds provided in the House bill because the steady growth in traffic will each year provide greater local revenue.

If the House plan is adopted, Nevada and other States similarly situated can continue to share in the local road program without difficulty. If the Senate plan is adopted, such States would have to increase local tax rates on motor vehicle owners to raise additional matching

money or forego sharing some of the local road improvements the new program is supposed to achieve.

The financing of the expanded highway program calls for substantial tax increases on all types of motor vehicles. Were it necessary to increase local taxes as well, the burden would be heavy. Furthermore, some States, including Nevada, have had to increase taxes during recent years to keep the road program going.

Inasmuch as both House and Senate plans for continuing the local road program will achieve almost identical results during the next 13 years, an approach permitting all States to participate has obvious benefits. Furthermore,

considering the difficulties to be expected by some of our highway departments in developing the engineering manpower required to get the huge interstate program off the ground, a more gradual acceleration of the local road program seems practicable.

I ask unanimous consent to have printed in the Record at this point as a part of my remarks a table pointing out the funds available to the State of Nevada under both the Fallon bill and the Gore bill.

There being no objection, the table was ordered to be printed in the Record, as follows:

*Estimate of Federal-aid highway funds provided and State matching funds required by bills pending in Congress*

NEVADA

[In millions of dollars]

Year	Fund	Present act			Fallon bill			Gore bill		
		Federal funds	State funds	Total	Federal funds	State funds	Total	Federal funds	State funds	Total
1957	FAP, FAS, U	6.9	1.3	8.2	7.1	1.4	8.5	8.9	1.8	10.7
	Interstate	1.8	.3	2.1	5.0	.3	5.3	9.2	.5	9.7
	Total	8.7	1.6	10.3	12.1	1.7	13.8	18.1	2.3	20.4
1958	FAP, FAS, U				7.4	1.5	8.9	9.2	1.8	11.0
	Interstate				5.3	.3	5.6	12.9	.7	13.6
	Total				12.7	1.8	14.5	22.1	2.5	24.6
1959	FAP, FAS, U				7.7	1.5	9.2	9.2	1.8	11.0
	Interstate				6.2	.3	6.5	14.8	.8	15.6
	Total				13.9	1.8	15.7	24.0	2.6	26.6
1960	FAP, FAS, U				7.9	1.6	9.5	9.2	1.8	11.0
	Interstate				6.8	.3	7.1	14.8	.8	15.6
	Total				14.7	1.9	16.6	24.0	2.6	26.6
1961	FAP, FAS, U				8.1	1.6	9.7	9.2	1.8	11.0
	Interstate				6.8	.3	7.1	14.8	.8	15.6
	Total				14.9	1.9	16.8	24.0	2.6	26.6
1962-68	FAP, FAS, U				64.0	13.7	77.7	64.4	12.8	77.2
	Interstate				45.4	2.4	47.8	103.4	5.4	108.8
	Total				109.4	16.1	125.5	167.8	18.2	186.0
1969	FAP, FAS, U				10.1	2.0	12.1	9.2	1.8	11.0
	Interstate				3.1	.2	3.3	14.8	.8	15.6
	Total				13.2	2.2	15.4	24.0	2.6	26.6
1957-69	FAP, FAS, U				112.3	23.3	135.6	119.3	23.6	142.9
	Interstate				78.6	4.1	82.7	184.7	9.8	194.5
	Total				190.9	27.4	218.3	304.0	33.4	337.4

Western Highway Institute, May 10, 1956.

**ENROLLED BILLS AND JOINT RESOLUTION PRESENTED**

The Secretary of the Senate reported that on today, May 28, 1956, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 767. An act for the relief of certain aliens;

S. 1111. An act to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 1883. An act for the relief of Pietro Rodolfo Walter Stulin and Renate Karolina Horky;

S. 1970. An act for the relief of Kim Boksoon and Anke Naber;

S. 2822. An act to authorize and direct the Secretary of the Interior to transfer approximately 9 acres of land in the Hualapai Indian Reservation, Ariz., to School District No. 8, Mohave County, Ariz.; and

S. J. Res. 135. Joint resolution for payment to Crow Indian Tribe for right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project, Montana-Wyoming.

**NOMINATION OF FORMER SENATOR FRED A. SEATON, OF NEBRASKA, TO BE SECRETARY OF THE INTERIOR**

Mr. CARLSON. Mr. President, this afternoon President Eisenhower nominated Fred A. Seaton, of Hastings, Nebr., to be Secretary of the Interior.

Fred Seaton has the background and experience to fill this position with great credit to this administration and great service to the Nation.

While he is listed as coming from Nebraska, having served that State in the State legislature, and having served

in the United States Senate as a Senator from Nebraska, he is truly a Kansan.

The Seaton family is an old and established family in the State of Kansas. For many years his father was secretary to a very distinguished Senator from Kansas, the late Senator Joseph L. Bristow.

He is an able administrator. He has a personal interest in the problems of conservation. He has great financial interests in the Middle West and in the Rocky Mountain area. He is a very warm personal friend of mine.

If I may be pardoned for a moment, I was elected Republican State chairman in Kansas in 1932. At that time I selected Fred Seaton as the young Republican chairman of that State. He and I campaigned together very effectively, with very satisfactory results within the State.

I have a very high regard for the ability, integrity, and sincerity of Fred Seaton, and personally I am most pleased at his appointment.

#### DEATH OF REPRESENTATIVE WILLIAM T. GRANAHAN, OF PENNSYLVANIA

The PRESIDING OFFICER (Mr. McNAMARA in the chair) laid before the Senate the following resolution (H. Res. 514) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, U. S.  
May 28, 1956.

*Resolved*, That the House has heard with profound sorrow of the death of Hon. WILLIAM T. GRANAHAN, a Representative from the State of Pennsylvania.

*Resolved*, That a committee of 19 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect the House do now adjourn.

Mr. GORE. Mr. President, on behalf of the senior Senator from Pennsylvania [Mr. MARTIN], I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 273) was read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM T. GRANAHAN, late a Representative from the State of Pennsylvania.

*Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause, the Presiding Officer appointed Mr. MARTIN of Pennsylvania and Mr. DUFF as the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. GORE. Mr. President, as a further mark of respect to the memory of the deceased Representative, on behalf of the senior Senator from Pennsylvania, I move that the Senate now stand in recess until 10 o'clock a. m. tomorrow.

The motion was unanimously agreed to; and at 7 o'clock and 26 minutes p. m. the Senate took a recess, the recess being, under the order previously entered, and as a further mark of respect to the memory of the late Representative GRANAHAN, until tomorrow, Tuesday, May 29, 1956, at 10 o'clock a. m.

#### NOMINATIONS

Executive nominations received by the Senate May 28 (legislative day of May 24), 1956:

##### DEPARTMENT OF THE INTERIOR

Frederick A. Seaton, of Nebraska, to be Secretary of the Interior.

##### DEPARTMENT OF THE NAVY

Garrison Norton, of the District of Columbia, to be Assistant Secretary of the Navy for Air.

##### FEDERAL COAL MINE SAFETY BOARD OF REVIEW

Edwin R. Price, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review for a term expiring July 15, 1959. (Reappointment.)

##### UNITED STATES ATTORNEY

Roger G. Connor, of Alaska, to be United States attorney for the district of Alaska, division No. 1, for the term of 4 years, vice Theodore E. Munson, resigned.

##### COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, Robert W. Knox to be Assistant Director of the Coast and Geodetic Survey, with the rank of rear admiral, for a term of 4 years, effective August 10, 1956.

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

##### To be commissioned lieutenant

Donald L. Campbell  
Robert C. Munson  
Gerard E. Haraden

##### To be commissioned lieutenant (junior grade)

James P. Randall

##### To be commissioned ensign

Vastine C. Ahlrich	Robert A. Hoyt
Jordan S. Baker	William A. Hughes
Ronald D. Bernard	William M. Lee
Mirilyn D. Christensen	Allen J. Lewis
Larry H. Clark	Michael G. Lusk
Arthur M. Cook	Earl R. Scyoc
Robert D. Frost	Lawrence L. Seal
Charles E. Fuller	Richard F. Shoobred
Lawrence C. Haverkamp	G. Thomas Susi
	Philip J. Taetz

## HOUSE OF REPRESENTATIVES

MONDAY, MAY 28, 1956

The House met at 12 o'clock noon.

The Reverend Canon Donald C. Means, rector, St. Luke's Episcopal Church, Altoona, Pa., offered the following prayer:

Our Father God, we commend to Thee, all who are engaged in the government of this Nation, and more especially, the House of Representatives of the Congress of the United States assembled; grant to them integrity of purpose, wisdom of good judgment, and unflinching devotion to the ideals of good government. May all their deliberations and resultant legislation be such as will promote the welfare of all the people of this country; that upholding what is right and just, and following what is true, they may obey Thy holy will and fulfill Thy divine purpose.

We remember this day those who have given their lives in the service of this Nation, knowing that Thou hast received them unto Thyself. Grant that we may continue to dedicate ourselves to the un-

finished work they so nobly advanced, and give increased devotion to the cause for which they gave the last full measure of devotion; that our government of the people, for the people, shall not perish from the earth.

Grant that this Nation may always be in the vanguard of nations that shall always strive to achieve and cherish a just, honorable, and lasting peace in our land and among the nations of the earth. And, we beseech Thee that Thou wilt never fail to bestow Thy blessing upon this good land which Thou hast promised to that people whose God is the Lord. In all humility of heart, but with strength of purpose, we ask Thee to grant our petitions which we offer in the name of Thy son Jesus Christ our Lord who with Thee and Thy holy spirit livest and reignest ever one God world without end.

Remember, O Lord, a Member of Congress and grant that increasing in love of Thee he may grow from strength to strength in the life of perfect service in Thy heavenly kingdom. Grant that those members of his family, casting every care upon Thee, may know the consolation of Thy love and grace. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, May 24, 1956, was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 746. An act to provide for the return to the former owners of certain lands, including Indian tribal lands, acquired in connection with the Garrison Dam project of mineral interests in such lands;

S. 3275. An act to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes; and

S. 3855. An act to extend and amend laws relating to the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10721. An act making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1957, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON of Texas, Mr. ELLENDER, Mr. McCLELLAN, Mr. MAGNUSON, Mr. HAYDEN, Mr. HOLLAND, Mr. CLEMENTS, Mr. GREEN, Mr. MANSFIELD, Mr. BRIDGES, Mr. SALTONSTALL, Mr. MCCARTHY, Mr. MUNDT, Mrs. SMITH of Maine, Mr. DIRKSEN, and Mr.